

David Keledjian, Esq. (SBN 309135)
David Arakelyan, Esq. (SBN 337076)
Matthew Carraher, Esq. (SBN 346860)
D.LAW, INC.
250 N Madison Ave., 2nd Floor
Pasadena, CA 91101
Tel.: (818) 962-6465 / Fax: (818) 962-6469
Emails: D.Keledjian@d.law, D.Arakelyan@d.law,
M.Carraher@d.law

Attorneys for Plaintiffs Joeseeph D. Kelly, Jeremiah Kelly
and Osmar Jared Regalado Espino

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

JOSEPH D. KELLY, on behalf of himself
and all others similarly situated, and the
general public,

Plaintiff,

v.

HUMASON II, INC., a Nevada
corporation; HUMASON + SONS, INC.,
an entity of unknown form; and DOES 1
through 50, inclusive,

Defendants.

Case No.: 23CV010746

CLASS ACTION

Assigned for All Purposes To:
Hon. Jill Talley

**NOTICE OF MOTION AND PLAINTIFFS'
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

Date: June 5, 2026
Time: 9:00 a.m.
Location: Department 23

1 **TO THE HONORABLE COURT, ALL PARTIES, AND TO THEIR RESPECTIVE**
2 **ATTORNEYS OF RECORD:**

3 **NOTICE IS HEREBY GIVEN** that on June 5, 2026, at 9:00 a.m., or as soon thereafter as
4 the matter can be heard in Department 23 of the Sacramento County Superior Court located at 720
5 9th St., Sacramento, California 95814, Plaintiffs Joseph D. Kelly, Jeremiah Kelly and Osmar Jared
6 Regalado Espino (“Plaintiffs”) will and hereby do move this Court pursuant to California Code of
7 Civil Procedure § 382 and California Rule of Court 3.769 for an order granting preliminary
8 approval of the proposed class action and PAGA settlement on the terms and conditions set forth
9 in the Class Action and PAGA Settlement Agreement and Class Notice (“Settlement” or
10 “Settlement Agreement”), a copy of which is attached to the Declaration of David Keledjian
11 (“Keledjian Decl.”) filed concurrently herewith, between Plaintiffs and Defendant Humason II, Inc.
12 and Humason + Sons, Inc. ("Defendants"). Plaintiffs will further move that the order specifically
13 encompass the following:

- 14 (1) Preliminarily approving the class action settlement reached between Plaintiffs and
15 Defendant, including granting preliminary approval of the following class: “all
16 persons employed by Defendants in California and classified as non-exempt, hourly
17 employee who worked for Defendant during the Class Period” which is October 26,
18 2019 through October 17, 2025.
- 19 (2) Approving the form of Court Approved Notice of Class Action Settlement and
20 Hearing Date for Final Court Approval (“Class Notice”) and procedure for notice to
21 the class; and
- 22 (3) Setting the final approval hearing.

23 Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the proposed
24 settlement’s allocation of funds to claims made under the Private Attorneys General Act of 2004
25 (“PAGA”).

26 This Notice of Motion and Motion is based on the fact that this is a fair and reasonable
27 settlement that benefits the class and was the product of informed, non-collusive negotiations by
28

1 the parties who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.*
2 (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985)§ 30.44. The
3 proposed settlement meets the legal standard for preliminary approval and is in the best interests
4 of the class; the proposed form of notice explains the settlement terms in a clear and
5 straightforward manner; the proposed procedures for notice provide the best practical notice to
6 the class; and that Class Members will have an opportunity to participate in and/or object to the
7 settlement and/or opt-out of the settlement. Defendant does not oppose this Motion.

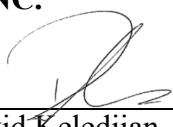
8 This Notice of Motion and Motion is based on this Notice, the accompanying
9 Memorandum of Points and Authorities, the Declarations of David Keledjian, Joseph D. Kelly,
10 Jeremiah Kelly, Osmar Jared Regalado Espino, and Kimberly Sutherland, the pleadings, records
11 and files in the case, and such other further oral and documentary evidence which may be
12 submitted at or before the hearing on this Motion.

13
14 Dated: May 13, 2026

Respectfully submitted,

D.LAW, INC.

15
16 By: _____


David Keledjian
David Arakelyan
Matthew Carraher
Attorneys for Plaintiffs Joseph D. Kelly,
Jeremiah Kelly and Osmar Jared Regalado
Espino and other class members