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of himself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

KYLE CHASE, an individual, on behalf of
himself and others similarly situated,

Plaintiff,

vs.

ALLIED GARDENS TOWING, INC., a
Delaware corporation; ROADONE WEST,
INC., a Delaware corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No. 37-2023-00050188-CU-OE-CTL

CLASS ACTION

Assigned for All Purposes To:
Hon. Mark T. Cumba
Dept.: C-65

**NOTICE OF MOTION AND PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND PAGA
ACTION SETTLEMENT AGREEMENT
AND RELEASE**

*[filed concurrently with Memorandum of Points
and Authorities; Declarations of Enoch J. Kim,
Jarrett Gorlick, Michael Sutherland, and Kyle
Chase; and [Proposed] Order]*

Date: January 30, 2026
Time: 08:30 a.m.
Dept.: C-65

Original Complaint Filed: November 17, 2023
First Amended Complaint Filed: January 22,
2024
Trial Date: None Set

1 **TO THE COURT, DEFENDANTS, AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on January 30, 2026, at 08:30 a.m. in Department C-65 of the
3 San Diego Superior Court located at 330 West Broadway, San Diego, CA 92101, Plaintiff Kyle
4 Chase (“Plaintiff”), on behalf of himself and other similarly situated employees of Defendants Allied
5 Gardens Towing, Inc. and RoadOne West, Inc. (“Defendants”) (collectively, “the Parties”), will and
6 hereby moves this Court pursuant to California Code of Civil Procedure § 382 and California Rule
7 of Court 3.769 for an order as proposed:

8 1. Preliminarily approving the proposed class-wide settlement of this action as set forth
9 in the Parties’ Class and PAGA Action Settlement Agreement and Release (“Settlement Agreement”
10 or “Settlement”), which is attached as **Exhibit 1** to the Declaration of Enoch J. Kim (“Kim Decl.”),
11 filed concurrently herewith;

12 2. Approving the form and method for providing notice to the Class Members and
13 approving the form and content of the Parties’ proposed Court Approved Notice of Class Action
14 Settlement and Hearing Date for Final Court Approval (“Class Notice”) for sending to the Class
15 Members (provided at **Exhibit A** to the Settlement Agreement);

16 3. Approving for mailing the Court approved Class Notice and directing that it be sent
17 to the Class Members;

18 4. Appointing Plaintiff Kyle Chase as Class Representative for settlement purposes
19 only;

20 5. Appointing Emil Davtyan, David Yeremian, Alvin B. Lindsay, Enoch J. Kim, and
21 Arianna Razi of D.Law, Inc. as Class Counsel for settlement purposes only.

22 6. Scheduling a Final Approval hearing date to consider the Parties’ request for Final
23 Approval of the proposed Settlement and Plaintiff’s application for Class Counsel Fees Payment to
24 Class Counsel for attorneys’ fees, Class Counsel Litigation Expenses Payment to Class Counsel for
25 reasonable expenses incurred in connection with this Action, and Class Representative
26 Enhancement Award to Plaintiff for his services in this Action.

27 7. Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the proposed
28 settlement’s allocation of funds to claims made under Labor Code §§ 2698, *et seq.*, the Private

1 Attorneys General Act of 2004 (“PAGA”).

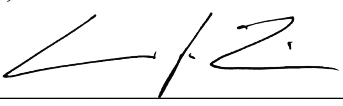
2 This Motion is made on the grounds that, after good-faith, arm’s-length negotiations, the
3 Parties have agreed upon a Settlement which is fair, reasonable, and adequate and in the best
4 interests of the Class and all Parties. Defendants do not oppose the Motion. This Notice of Motion
5 and Motion is also based on the fact that this Settlement was the product of informed, non-collusive
6 negotiations by the Parties, who were represented by experienced and able counsel. *See Dunk v.*
7 *Ford Motor Co.* (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second
8 (1985) § 30.44. The proposed Settlement meets the legal standard for preliminary approval and is
9 in the best interests of the Class; the proposed form of notice explains the Settlement terms in a clear
10 and straightforward manner; the proposed procedures for notice provide the best practical notice to
11 the Class; and Class Members will have an opportunity to participate in and/or object to the
12 Settlement and/or opt-out of the Settlement.

13 This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points
14 and Authorities, the Declaration of Class Counsel Enoch J. Kim, the Declarations of Michael
15 Sutherland, Jarrett Gorlick, and Plaintiff Kyle Chase submitted with this Motion, the [Proposed]
16 Order granting Plaintiff’s Motion for Preliminary Approval of Class and PAGA Action Settlement
17 Agreement and Release, the Court’s record of this action, all matters of which the Court may take
18 notice, and upon such oral or documentary evidence as the Court may receive at or before the hearing
19 on this unopposed Motion.

20
21 DATED: January 7, 2026

D.LAW, INC.

22
23 By



David Yeremian
Alvin B. Lindsay
Enoch J. Kim
Arianna Razi
Attorneys for Plaintiff and Class