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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

MARVIN BENEGAS, an individual, on
behalf of himself and on behalf of all
persons imilarly situated,

Plaintiff,

vs.

CONTINENTAL MARITIME OF SAN
DIEGO, LLC, a Limited Liability
Company; HII SAN DIEGO SHIPYARD
INC., a Corporation; and DOES 1 through
50, inclusive,

Defendants.

CASE NO.: **37-2024-00002946-CU-OE-CTL**

**NOTICE OF MOTION AND
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: July 10, 2026

Hearing Time: 10:30 a.m.

Judge: Hon. Loren G. Freestone
Dept.: 64

Date Action Filed: January 23, 2024

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT at 10:30 a.m. on July 10, 2026 in
Department 64 at the above entitled Court before the Honorable Loren G. Freestone,

1 Plaintiff Marvin Benegas (“Plaintiff”) will apply for an order: (1) preliminarily approving
2 the proposed settlement of this class and Private Attorneys General Act (“PAGA”) action
3 with Defendants Continental Maritime of San Diego, LLC and HII San Diego Shipyard, Inc.
4 (“Defendants”); (2) for settlement purposes only, conditionally certifying the Class, which is
5 comprised of “all individuals who were employed by defendant Continental Maritime of
6 San Diego, LLC or HII San Diego Shipyard, Inc. in California and classified as a
7 non-exempt employee at any time during the Class Period”, which is January 23, 2020 to
8 April 7, 2025; (3) provisionally appointing Plaintiff as the representative of the Class; (5)
9 provisionally appointing Blumenthal Nordrehaug Bhowmik De Blouw LLP and Gomez
10 Trial Attorneys, APLC as Class Counsel; (6) approving the form and method for providing
11 class-wide notice; (7) directing that notice of the proposed settlement be given to the Class;
12 (8) appointing Apex Class Action LLC as Administrator, and (9) scheduling a final approval
13 hearing date, proposed for December 4, 2026, to consider Plaintiff’s motion for final
14 approval of the settlement and for approval of attorneys’ fees, expenses and the
15 representative service award.

16 This unopposed motion for preliminary approval of the class and PAGA settlement is
17 brought pursuant to California Rules of Court, rule 3.769. Plaintiff’s motion will be based
18 on this notice of motion and motion, the accompanying memorandum of points and
19 authorities, the Declaration of Kyle Nordrehaug, the Declaration of Taleah Phillips, the
20 Declaration of the Plaintiff, the Class Action and PAGA Settlement Agreement
21 (“Agreement”) between the Parties, and the complete files and records in this action.
22 Because all Parties have agreed to the proposed class settlement, this motion is not opposed
23 by Defendant.

24 Respectfully submitted,

25 Dated: June 12, 2026

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

26 By: /s/ Kyle Nordrehaug
27 Kyle R. Nordrehaug, Esq.
28 Attorney for Plaintiff