

D.LAW, INC.
Enoch J. Kim (SBN 261146)
e.kim@d.law
Arianna N. Razi (SBN 356930)
a.razi@d.law
250 N. Madison Avenue, 2nd Floor
Pasadena, CA 91101-1639
Telephone: (818) 962-6465
Fax: (818) 962-6469
Attorneys for Plaintiff SALVADOR MAGALLON,
on behalf of himself and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF CONTRA COSTA

SALVADOR MAGALLON, on behalf of
himself and others similarly situated,

Plaintiff,

vs.

SEQUENTIAL ENVIRONMENTAL
SERVICES, LLC, an Oregon limited liability
company; CRIMSON RENEWABLE
ENERGY HOLDINGS, LLC, a Colorado
limited liability company; CRIMSON
RENEWABLE ENERGY, LLC, a California
limited liability company; and DOES 1
through 50, inclusive,

Defendants.

Case No.: C24-00143

CLASS ACTION

Assigned for All Purposes To:
Honorable Benjamin T. Reyes II
Department: 16

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

*[filed concurrently with Memorandum of Points
and Authorities; Declarations of Enoch J. Kim,
Jodey Lawrence, and Salvador Magallon; and
[Proposed] Order]*

Date:
Time:
Dept.: 16

Original Complaint Filed: January 18, 2024
First Amended Complaint Filed: March 25, 2024
Trial Date: None Set

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

2 PLEASE TAKE NOTICE that on _____, 2026 at _____ a.m./p.m. in
3 Department 16 of the Contra Costa County Superior Court located at 725 Court Street, Martinez,
4 California 94553, Plaintiff Salvador Magallon (“Plaintiff”), on behalf of himself and other similarly
5 situated employees of Defendant Mahoney Environmental Solutions, LLC (“Defendant”)
6 (collectively, “the Parties”), will and hereby moves this Court pursuant to California Code of Civil
7 Procedure § 382 and California Rule 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 Action and PAGA Settlement Agreement (“Settlement Agreement”), which is
10 attached as **Exhibit 1** to the Declaration of Enoch J. Kim (“Kim Decl.”), filed concurrently herewith;

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

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

17 4. Appointing Plaintiff Salvador Magallon as Class Representative for settlement
18 purposes only;

19 5. Appointing D.Law, Inc. as Class Counsel for settlement purposes only;

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

25 7. Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the proposed
26 settlement’s allocation of funds to claims made under Labor Code §§ 2698, *et seq.*, the Private
27 Attorneys General Act of 2004 (“PAGA”).

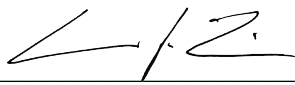
28 This Motion is made on the grounds that, after good-faith, arm’s-length negotiations, the

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

11 This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points
12 and Authorities, the Declaration of Class Counsel Enoch J. Kim, the Declarations of Jodey Lawrence
13 and Plaintiff Salvador Magallon submitted with this Motion, the [Proposed] Order Granting
14 Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement Agreement, the
15 Court's record of this action, all matters of which the Court may take notice, and upon such oral or
16 documentary evidence as the Court may receive at or before the hearing on this unopposed Motion.

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18 DATED: March 20, 2026

D.LAW, INC.

19 By 
20 Enoch J. Kim
21 Arianna N. Razi
22 Attorneys for Plaintiff and Class
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