

D.LAW, INC.

Natalie Haritonian (SBN 324318)

Matthew Carraher (SBN 346860)

Enoch Kim (SBN 261146)

Antonia McKee (SBN 344511)

250 N Madison Ave., 2nd Floor

Pasadena, CA 91101

Telephone: (818) 962-6465/ Fax: (818) 962-6469

Emails: n.haritonian@d.law, m.carraher@d.law,
e.kim@d.law, a.bliznets@d.law

Attorneys for Plaintiff RICHARD WEST,
on behalf of himself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

RICHARD WEST, an individual on behalf of
himself and all others similarly situated,

Plaintiffs,

v.

METAL ART OF CALIFORNIA, INC. d/b/a
SIGN MART, a California corporation; METAL
ART OF CALIFORNIA, a business entity of
unknown form; PLASTICS PLUS, a business
entity of unknown form; and DOES 1 through 50,
inclusive,

Defendants.

CLASS ACTION

Case No.: 30-2024-01381223-CU-OE-CXC

Assigned for All Purposes To:

Hon. William Claster

Department CX101

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

Hearing Information:

Date: April 24, 2026

Time: 9:00 a.m.

Dept.: CX101

Reservation Number: 74813003

Action filed: February 23, 2024

FAC filed: June 13, 2024

Trial: None Set

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

3 PLEASE TAKE NOTICE that on February 5, 2026, at 2:00 p.m. in Department CX101 of
4 the Orange Superior Court located at 751 West Santa Ana Blvd., Santa Ana, CA 92701, Plaintiff
5 Richard West (“Plaintiff”), on behalf of himself, and other similarly situated employees of
6 Defendants Metal Art of California, Inc. d/b/a Sign Mart, and Metal Art of California
7 (collectively referred to as “Defendants”) (collectively, “the Parties”), will and hereby does move
8 this Court pursuant to California Code of Civil Procedure § 382 and California Rule of Court
9 3.769 for an order as proposed:

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

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

17 3. Approving for mailing the Class Notice packet, consisting of the Court-approved
18 Class Notice and directing that it be sent to the Class Members;

19 4. Appointing Plaintiff Richard West as Class Representative for settlement
20 purposes only;

21 5. Appointing Natalie Haritoonian, Esq., Enoch J. Kim, Esq., Matthew Carraher,
22 Esq., and Antonia McKee, Esq. of D.Law, Inc. as Class Counsel for settlement purposes only.

23 6. Scheduling a Final Approval hearing date to consider the Parties’ request for Final
24 Approval of the proposed Settlement and Plaintiff’s application for Attorneys’ Fees and Costs
25 Awards to Class Counsel for attorneys’ fees and reasonable expenses incurred in connection with
26 this Action, and Class Representative Service Payment 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
28 proposed settlement’s allocation of funds to claims made under Labor Code §§ 2698, *et seq.*, the

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

2 Under the terms of the Settlement, the Parties have agreed that all claims brought on
3 behalf of the Class Members shall be fully and finally resolved for the total sum of 295,000.00
4 (“Gross Settlement Amount”) to be paid on a non-reversionary basis. The amount remaining of
5 the Gross Settlement Amount after the following deductions have been made (“Net Settlement
6 Amount”) shall be available for distribution to Class Members who do not opt out of the
7 settlement:

- 8 • Up to one-third of the Gross Settlement Amount, or **\$98,333.00**, to Class Counsel
9 as attorneys’ fees for the litigation and resolution of this Action and up to
10 **\$20,000.00** for actual costs incurred in this Action;
- 11 • A not-to-exceed amount of **\$7,500.00** to the Settlement Administrator for its costs
12 of administration of the Settlement;
- 13 • Up to **\$5,000.00** to Plaintiff as an award for his service as a class representative;
14 and
- 15 • **\$20,000.00** for settlement of claims for civil penalties under PAGA, with 25%
16 (\$5,000) allocated to the PAGA Members (“Individual PAGA Payments”) and
17 75% (\$15,000) allocated to the LWDA (“LWDA PAGA Payment”).

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

1 This Motion is based upon this Notice of Motion, the accompanying Memorandum of
2 Points and Authorities, the Declarations of Enoch J. Kim, Richard West, and Jodey Lawrence,
3 the [Proposed] Order, the Parties' Settlement Agreement and Class Notice, the Court's record of
4 this action, all matters of which the Court may take notice, and upon such oral or documentary
5 evidence as the Court may receive at or before the hearing on this unopposed Motion.

6
7 Dated: March 31, 2026

D.LAW, INC.

8
9 By /s/ Enoch J. Kim
10 Natalie Haritonian
11 Matthew Carraher
12 Enoch J. Kim
13 Antonia McKee
14 Attorneys for Plaintiff and Settlement Class
15
16
17
18
19
20
21
22
23
24
25
26
27
28