

D.LAW, INC.
Emil Davtyan (SBN 299363)
Emil@d.law
David Yeremian (SBN 226337)
d.yeremian@d.law
Alvin B. Lindsay (SBN 220236)
a.lindsay@d.law
Enoch J. Kim (261146)
e.kim@d.law
Marta Manus (260132)
m.manus@d.law
450 N. Brand Blvd. Suite 840
Glendale, CA 91203
Telephone: (818) 962-6465
Facsimile: (818) 962-6469

Attorneys for Plaintiffs Chad A. Leonhardt and Took Bucksen
on behalf of themselves and all others similarly situated

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

CHAD A. LEONHARDT, an individual;
TOOK BUCKSEN, an individual, on behalf of
themselves and others similarly situated,

Plaintiffs,

vs.

DODGE RIDGE MOUNTAIN RESORT,
LLC, a Delaware limited liability company;
and DOES 1 through 50, inclusive

Defendants

Case No. CV65934

CLASS ACTION

Assigned for all purposes to:
Hon. Kevin M. Seibert
Dept.: 1

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

Date: August 8, 2025
Time: 8:30 a.m.
Dept.: 1

Original Complaint: February 29, 2024
First Amended Complaint: March 18, 2024
Trial Date: None Set

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

2 PLEASE TAKE NOTICE that on August 8, 2025, at 8:30 a.m. in Department 1 of the
3 Courthouse of the Tuolumne Superior Court located at 12855 Justice Ctr Dr., Sonoma, CA, 95370,
4 Plaintiffs CHAD A. LEONHARDT and TOOK BUCKSEN (“Plaintiffs”), on behalf of
5 themselves and other similarly situated employees of Defendant DODGE RIDGE MOUNTAIN
6 RESORT, LLC. (“Defendant”) 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 as proposed:

8 (1) Preliminarily approving the class action settlement reached between Plaintiffs and
9 Defendant, including granting preliminary approval of the following class: “all
10 persons who are or were employed by Defendant as hourly paid, non-exempt
11 employees in the State of California at any time during the Class Period (i.e., the
12 period from February 29, 2020, through August 8, 2025. (“Class Period”).”

13 (2) Approving the form of Notice of Class Action Settlement and procedure for notice to
14 the class; and

15 (3) Setting the final approval hearing.

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

19 Pursuant to the proposed Class Action and PAGA Settlement Agreement (“Settlement” or
20 “Settlement Agreement”), filed concurrently herewith, Defendant does not oppose the
21 preliminary approval of the class action settlement.

22 Under the terms of the Settlement, the Parties have agreed that all claims brought on
23 behalf of the Class Members shall be fully and finally resolved for the total sum of Four Hundred
24 Ten Thousand Dollars and Zero Cents (\$450,000.00) (“Gross Settlement Amount”) to be paid on
25 a non-reversionary basis. The amount remaining of the Gross Settlement Amount after the
26 following deductions have been made (“Net Settlement Amount”) shall be available for
27 distribution to Class Members who do not opt out of the settlement:

- 28 • Up to one-third of the GSA, or \$150,000.00, to Class Counsel for attorneys’ fees,

1 and up to \$30,000.00 to Class Counsel for reimbursement of reasonable expenses
2 incurred to prosecute the Action;

- 3 • Up to \$9,250.00 to the Administrator for its fees and costs to administer the
4 Settlement
- 5 • Up to \$10,000.00 to each named Plaintiff (\$20,000.00 total) as an enhancement
6 award for service as the class representative; and
- 7 • \$40,000.00 for settlement of claims for civil penalties under PAGA, with 25%
8 allocated to the Aggrieved Employees (\$10,000.00) and 75% allocated to the
9 LWDA (\$30,000.00) will be paid to the LWDA.

10 This Notice of Motion and Motion is based on the fact that this is a fair and reasonable
11 settlement that benefits the class and was the product of informed, non-collusive negotiations by
12 the parties who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.*
13 (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985) § 30.44.
14 The proposed settlement meets the legal standard for preliminary approval and is in the best
15 interests of the class; the proposed form of notice explains the settlement terms in a clear and
16 straightforward manner; the proposed procedures for notice provide the best practical notice to
17 the class; and that Class Members will have an opportunity to participate in and/or object to the
18 settlement and/or opt-out of the settlement.

19 This Notice of Motion and Motion is based on this Notice, and the exhibits thereto
20 (including the Notice to Class Members), the accompanying Memorandum of Points and
21 Authorities, the Declaration of Marta Manus, the Declaration of Chad A. Leonhardt, the
22 Declaration of Took Bucksen, the Declaration of Michael Sutherland, the Declaration of Jarrett
23 Gorlick, and the pleadings, records and files in the case, and such other further oral and
24 documentary evidence which may be submitted at or before the hearing on this Motion.

25
26 ///

27 ///

28 ///

1 Dated: July 17, 2025

Respectfully submitted,

2 **D.LAW, INC.**

3
4 By


Emil Davtyan
Alvin B. Lindsay
Enoch J. Kim
Marta Manus
Attorneys for Plaintiffs and on behalf of
themselves and all others similarly situated