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on behalf of herself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA**

JANE A. BARRETT, an individual, on behalf
of herself and others similarly situated,

Plaintiff,

vs.

CALIFORNIA WATER SERVICE GROUP,
a Delaware corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No.: 24CV431249

CLASS ACTION

Assigned for All Purposes To:
To: Hon. Charles F. Adams
Dept.: 7

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

*[Filed concurrently with Memorandum of
Points and Authorities and Declarations of
Enoch J. Kim, Jane A. Barrett, Lisa Mullins,
and Jarrett Gorlick]*

Date: September 25, 2025
Time: 1:30 p.m.
Dept.: 7

Original Complaint Filed: February 21, 2024
First Amended Complaint Filed: April 26, 2024
Second Amended Complaint Filed: August 6,
2024
Trial Date: None Set

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

2 PLEASE TAKE NOTICE that on September 25, 2025, at 1:30 p.m. in Department 7 of the
3 Courthouse of the Santa Clara Superior Court located at 191 North First Street, San Jose, CA 95113,
4 Plaintiff Jane A. Barrett (“Plaintiff”), on behalf of herself and other similarly situated employees of
5 Defendant CALIFORNIA WATER SERVICE GROUP (“Defendant”) (collectively, “the Parties”),
6 will and hereby does move this Court pursuant to California Code of Civil Procedure § 382 and
7 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 Settlement and Release (“Settlement Agreement” or “Settlement”),
10 which is attached as **Exhibit 1** to the Declaration of Enoch J. Kim, filed herewith;

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

15 3. Approving for mailing the Court approved Class Notice, consisting of English and
16 Spanish translations, and directing that it be sent to the Settlement Class Members;

17 4. Appointing Plaintiff Jane A. Barrett as Class Representative for settlement purposes
18 only;

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

21 6. Scheduling a Final Approval hearing date to consider the Parties’ request for Final
22 Approval of the proposed Settlement and Plaintiff’s application for attorneys’ fees and costs;

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

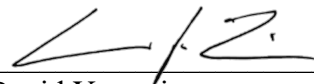
26 This Motion for Preliminary Approval of Class Action Settlement and Release (“Motion”) is made on the grounds that after good-faith, arm’s length negotiations, the Parties have agreed upon
27 a Settlement which is fair, reasonable, and adequate and in the best interests of the Settlement Class
28

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

10 This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points
11 and Authorities, the Declaration of Class Counsel Enoch J. Kim, the Declaration of Plaintiff Jane
12 A. Barrett, the Declarations of Lisa Mullins and Jarrett Gorlick submitted with this Motion, all
13 matters of which the Court may take notice, and upon such oral or documentary evidence as the
14 Court may receive at or before the hearing on this unopposed Motion.

15
16 DATED: September 3, 2025

D.LAW, INC.

17 By 
18 David Yeremian
19 Alvin B. Lindsay
20 Enoch J. Kim
21 Arianna Razi
22 Attorneys for Plaintiff and Settlement Class
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