

D.LAW, INC.
Emil Davtyan (SBN 299363)
Emil@d.law
David Yeremian (SBN 226337)
d.yeremian@d.law
Enoch J. Kim (SBN 261146)
e.kim@d.law
Arianna N. Razi (SBN 356930)
a.razi@d.law
450 N Brand Blvd, Suite 840
Glendale, CA 91203
Telephone: (818) 962- 6465
Facsimile: (818) 962-6469

Attorneys for Plaintiffs David Pete and Thomas Miller,
on behalf of themselves and others similarly situated

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

DAVID PETE, on behalf of himself and
others similarly situated,

Plaintiff,

vs.

TINK, INC., a California corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 24CV01499

CLASS ACTION

Assigned for All Purposes To:

Hon. Stephen E. Benson
Dept.: 6

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

*[filed concurrently with Memorandum of Points
and Authorities; Declarations of Enoch J. Kim,
Jarrett Gorlick, Michael Sutherland, David Pete,
and Thomas Miller; and [Proposed] Order]*

Date: December 10, 2025
Time: 9:00 a.m.
Dept.: 6

Original Complaint Filed: May 8, 2024
First Amended Complaint Filed: July 12, 2024
Second Amended Complaint Filed: October 9,
2024
Trial Date: None Set

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

2 PLEASE TAKE NOTICE that on December 10, 2025, at 9:00 a.m. in Department 6 of the
3 Butte County Superior Court located at 1775 Concord Avenue, Chico, CA 95928, Plaintiffs David
4 Pete and Thomas Miller (“Plaintiffs”), on behalf of themselves and other similarly situated
5 employees of Defendant Tink, Inc. (“Defendant”) (collectively, “the Parties”), will and hereby move
6 this Court pursuant to California Code of Civil Procedure § 382 and California Rule of Court 3.769
7 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
16 to the Class Members;

17 4. Appointing Plaintiffs David Pete and Thomas Miller as Class Representatives for
18 settlement 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 Plaintiffs’ 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 each Plaintiff for their 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”).

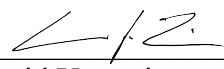
28 This Motion is made on the grounds that, after good-faith, arm’s-length negotiations, the

1 Parties have agreed upon a Settlement which is fair, reasonable, and adequate and in the best
2 interests of the Class and all Parties. Defendant does not oppose the Motion. This Notice of Motion
3 and Motion is also based on the fact that this Settlement was the product of informed, non-collusive
4 negotiations by the Parties, who were represented by experienced and able counsel. *See Dunk v.*
5 *Ford Motor Co.* (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second
6 (1985) § 30.44. The proposed Settlement meets the legal standard for preliminary approval and is
7 in the best interests of the Class; the proposed form of notice explains the Settlement terms in a clear
8 and straightforward manner; the proposed procedures for notice provide the best practical notice to
9 the Class; and Class Members will have an opportunity to participate in and/or object to the
10 Settlement and/or opt-out of 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 Michael
13 Sutherland, Jarrett Gorlick, Plaintiff David Pete, and Plaintiff Thomas Miller submitted with this
14 Motion, the [Proposed] Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action
15 and PAGA Settlement, the Court's record of this action, all matters of which the Court may take
16 notice, and upon such oral or documentary evidence as the Court may receive at or before the hearing
17 on this unopposed Motion.

18
19 DATED: November 12, 2025

D.LAW, INC.

20
21 By 
22 David Yeremian
23 Enoch J. Kim
24 Arianna N. Razi
25 Attorneys for Plaintiff and Class
26
27
28