

D.LAW, INC.

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Attorneys for Plaintiffs Felipe Alvarez and
Damon Alexander Williams, on behalf of
themselves and others similarly situated

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

FELIPE ALVAREZ, an individual, and
DAMON ALEXANDER WILLIAMS, an
individual, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

INNOVATIVE CONSTRUCTION
SOLUTIONS, a California corporation; and
DOES 1 through 50, inclusive,

Defendants.

CLASS ACTION

Case No.: 30-2024-01399590-CU-OE-CXC

Assigned for All Purposes To:
Hon. Melissa R. McCormick

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

Hearing Information:
Date: September 17, 2026
Time: 2:00 p.m.
Department: CX105

Reservation Number: 74866569

Action filed: May 15, 2024
FAC filed: July 29, 2024
SAC filed: July 17, 2025
Trial date: None Set

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

2 PLEASE TAKE NOTICE that on September 17, 2026, at 2:00 p.m. in Department
3 CX105 of the Orange Superior Court located at 751 West Santa Ana Blvd., Santa Ana, CA
4 92701, Plaintiff Felipe Alvarez and Plaintiff Damon Alexander Williams (“Plaintiffs”), on behalf
5 of themselves, and other similarly situated employees of Defendant Innovative Construction
6 Solutions (“Defendant”) (collectively, “the Parties”), will and hereby do move this Court
7 pursuant to California Code of Civil Procedure § 382 and California Rule of Court 3.769 for an
8 order as proposed:

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

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

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

18 4. Appointing Plaintiffs Felipe Alvarez and Damon Alexander Williams as Class
19 Representatives for settlement purposes only;

20 5. Appointing Alvin B. Lindsay, Esq., Enoch J. Kim, Esq., and Antonia McKee,
21 Esq. of D.Law, Inc. as Class Counsel for settlement purposes only.

22 6. Scheduling a Final Approval hearing date to consider the Parties’ request for Final
23 Approval of the proposed Settlement and Plaintiffs’ application for Attorneys’ Fees and Costs
24 Awards to Class Counsel for attorneys’ fees and reasonable expenses incurred in connection with
25 this Action, and Class Representative Service Payment to Plaintiffs for their services in this
26 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 760,000.00
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 **\$253,333.33**, to Class
9 Counsel as attorneys’ fees for the litigation and resolution of this Action and up to
10 **\$50,000.00** for actual costs incurred in this Action;
- 11 • A not-to-exceed amount of **\$13,000.00** to the Settlement Administrator for its
12 costs of administration of the Settlement;
- 13 • Up to **\$10,000.00** to Plaintiffs each as an award for their service as a class
14 representative; and
- 15 • **\$60,000.00** for settlement of claims for civil penalties under PAGA, with 25%
16 (\$15,000) allocated to the PAGA Members (“Individual PAGA Payments”) and
17 75% (\$45,000) 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. Defendant does 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, Felipe Alvarez, Damon Alexander
3 Williams, and [APEX Admin], the [Proposed] Order, the Parties' Settlement Agreement and
4 class notice, the Court's record of this action, all matters of which the Court may take notice, and
5 upon such oral or documentary evidence as the Court may receive at or before the hearing on this
6 unopposed Motion.

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8 Dated: June 1, 2026

D.LAW, INC.

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10 By /s/ Enoch J. Kim
11 Alvin B. Lindsay
12 Enoch J. Kim
13 Antonia McKee
14 Attorneys for Plaintiffs and Settlement Class
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