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on behalf of himself and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF STANISLAUS

DAVID MICHAEL BEASON, on behalf of himself and others similarly situated, Plaintiff, vs. GALAXY PATTERSON ROAD LLC, a California limited liability company; GALAXY THEATRES, an entity of unknown form; GALAXY RIVERBANK, an entity of unknown form; GALAXY THEATRES, LLC, a California limited liability company; GALAXY SEQUOIA LLC, a California limited liability company; GALAXY TULARE LP, a California limited partnership; GALAXY MISSION GROVE LLC, a Delaware limited liability company; and DOES 1 through 50, inclusive, Defendants.	Case No. CV-24-010344 CLASS ACTION Assigned For All Purposes To: Hon. Stacy P. Speiller Dept.: 22 **NOTICE OF MOTION AND PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT** *[filed concurrently with Memorandum of Points and Authorities; Declarations of Enoch J. Kim, Kimberly Sutherland, and David Michael Beason; and [Proposed] Order]* Date: December 10, 2026 Time: 8:30 a.m. Dept.: 22 Original Complaint Filed: December 19, 2024 First Amended Complaint Filed: February 24, 2025 Second Amended Complaint Filed: July 31, 2026 Trial Date: None Set

TO THE COURT, DEFENDANTS, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on December 10, 2026, at 8:30 a.m. in Department 22 of the Stanislaus County Superior Court located at 801 10th Street, Modesto, California 95354, Plaintiff David Michael Beason ("Plaintiff"), on behalf of himself and other similarly situated employees of Defendants Galaxy Patterson Road LLC, Galaxy Theatres, Galaxy Riverbank, Galaxy Sequoia LLC, Galaxy Tulare LP, Galaxy Mission Grove LLC, and Galaxy Theatres LLC ("Defendants") (collectively, "the Parties"), will and hereby moves this Court pursuant to California Code of Civil Procedure § 382 and California Rule of Court 3.769 for an order as proposed:

1. Preliminarily approving the proposed class-wide settlement of this action as set forth in the Parties' Class Action and PAGA Settlement Agreement ("Settlement Agreement"), which is attached as **Exhibit 1** to the Declaration of Enoch J. Kim ("Kim Decl."), filed concurrently herewith;

2. Approving the form and method for providing notice to the Class Members and approving the form and content of the Parties' proposed Court Approved Notice of Class Action Settlement and Hearing Date for Final Court Approval ("Class Notice") for sending to the Class Members (provided at **Exhibit A** to the Settlement Agreement);

3. Approving for mailing the Court approved Class Notice and directing that it be sent to the Class Members;

4. Appointing Plaintiff David Michael Eason as Class Representative for settlement purposes only;

5. Appointing D.Law, Inc. as Class Counsel for settlement purposes only.

6. Scheduling a Final Approval hearing date to consider the Parties' request for Final Approval of the proposed Settlement and Plaintiff's application for Class Counsel Fees Payment to Class Counsel for attorneys' fees, Class Counsel Litigation Expenses Payment to Class Counsel for reasonable expenses incurred in connection with this Action, and Class Representative Service Payment to Plaintiff for his services in this Action.

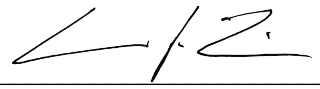
7. Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the proposed settlement's allocation of funds to claims made under Labor Code §§ 2698, *et seq*., the Private Attorneys General Act of 2004 ("PAGA").

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

This Motion is based upon this Notice of Motion, the accompanying Memorandum of Points and Authorities, the Declaration of Class Counsel Enoch J. Kim, the Declarations of Kimberly Sutherland and Plaintiff David Michael Beason submitted with this Motion, the [Proposed] Order Granting Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement, the Court's record of this action, all matters of which the Court may take notice, and upon such oral or documentary evidence as the Court may receive at or before the hearing on this unopposed Motion.

DATED: November 3, 2026

D.LAW, INC.

By 

Enoch J. Kim
Arianna N. Razi
Attorneys for Plaintiff and Class