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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF TULARE

ROBERT BERRY, an individual, on
behalf of himself and on behalf of all
persons similarly situated, and on behalf
of the State of California, as a private
attorney general,

Plaintiff,

vs.

WILDFIRE DEFENSE SYSTEMS, INC., a
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

CASE NO.: **VCU315054**

**NOTICE OF MOTION AND
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: February 26, 2026

Hearing Time: 8:30 a.m.

Judge: Hon. David C. Mathias
Dept.: 1

Date Action Filed: November 13, 2024

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT at 8:30 a.m. on February 26, 2026 in
Department 75 at the above entitled Court before the Honorable David C. Mathias, Plaintiff
Robert Berry ("Plaintiff") will apply for an order: (1) preliminarily approving the proposed

1 settlement of this class and PAGA action with Defendant Wildfire Defense Systems, Inc.
2 (“Defendant”); (2) for settlement purposes only, conditionally certifying the Class, which is
3 comprised of “all individuals who are or previously were employed by Defendant Wildfire
4 Defense Systems, Inc. who were classified as non-exempt in the State of California at any
5 time during the Class Period”, which is November 13, 2020 through August 13, 2025; (3)
6 provisionally appointing Plaintiff as the representatives of the Class; (4) provisionally
7 appointing Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel; (5)
8 approving the form and method for providing class-wide notice; (6) directing that notice of
9 the proposed settlement be given to the Class; (7) appointing Apex Class Action LLC as
10 Administrator, and (8) scheduling a final approval hearing date, proposed for July 30, 2026,
11 to consider Plaintiff’s motion for final approval of the settlement and for approval of
12 attorneys’ fees, expenses and the representative service award.

13 This unopposed motion for preliminary approval of the class and PAGA settlement is
14 brought pursuant to California Rules of Court, rule 3.769. Plaintiff’s motion will be based
15 on this notice of motion and motion, the accompanying memorandum of points and
16 authorities, the Declaration of Kyle Nordrehaug, the Declarations of the Plaintiff, the Class
17 Action and PAGA Settlement Agreement (“Agreement”) between the Parties, and the
18 complete files and records in this action. Because all Parties have agreed to the proposed
19 class settlement, this motion is not opposed by Defendant.

20 Respectfully submitted,

21 Dated: January 29, 2026

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

22 By: /s/ Kyle Nordrehaug
23 Kyle R. Nordrehaug, Esq.
24 Attorney for Plaintiff
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