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on behalf of themselves and others similarly situated

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA CLARA

ARLEN F. ALCANTAR and DAVID
CHIANG, individuals, on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

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

Defendants.

Case No.: 23CV424964

CLASS ACTION

Assigned for All Purposes

To: Hon. Charles F. Adams

Dept.: 7

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

*[filed concurrently with Memorandum of Points
and Authorities; Declaration of Enoch J. Kim;
Declaration of Kyle Nordrehaug; Declaration of
Arlen F. Alcantar; Declaration of David
Chiang; Declaration of Mike Sutherland;
Declaration of Bennett Berger; and [Proposed]
Order]*

Date: September 4, 2025

Time: 1:30 p.m.

Dept.: 7

Original Complaint Filed: October 30, 2023

First Amended Complaint Filed: January 4, 2024

Second Amended Complaint: March 21, 2025

Trial Date: None Set

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

2 PLEASE TAKE NOTICE that on September 4, 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
4 95113, Plaintiffs Arlen F. Alcantar and David Chiang (hereinafter, “Plaintiffs”), on behalf of
5 themselves and other similarly situated employees of Defendant Kidango, Inc. (“Defendant”)
6 (collectively, “the Parties”), will and hereby do move this Court pursuant to California Code of
7 Civil Procedure § 382 and 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
9 forth in the Parties’ Class Action and PAGA Settlement Agreement (“Settlement Agreement”)¹,
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 Class Members and
12 approving the form and content of the Parties’ proposed Notice of Class and PAGA Action
13 Settlement (“Class Notice”) for sending to the Class Members (provided at **Exhibit A** to the
14 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 Arlen F. Alcantar and David Chiang as Class Representatives
18 for settlement purposes only;

19 5. Appointing Emil Davtyan, David Yeremian, Alvin B. Lindsay, Enoch J. Kim, and
20 Arianna Razi of D.Law, Inc. and Norman B. Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik,
21 Nicholas J. De Blouw, Jeffrey S. Herman, Sergio J. Puche, and Trevor G. Moran of Blumenthal
22 Nordrehaug Bhowmik De Blouw LLP (“BNBD”) as Class Counsel for settlement purposes only;
23 and

24 6. Scheduling a Final Approval hearing date to consider the Parties’ request for Final
25 Approval of the proposed Settlement and Plaintiffs’ application for attorneys’ fees and costs.

26 7. Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the
27

28 _____
¹ Defendant has not yet executed the Settlement Agreement. Plaintiffs will submit the fully executed Settlement Agreement upon receipt of Defendant’s signed Settlement Agreement.

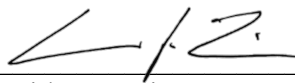
1 proposed settlement's allocation of funds to claims made under Labor Code § 2698, *et seq.*, the
2 Private Attorneys General Act of 2004 ("PAGA").

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

14 This Motion is based upon this Notice of Motion, the accompanying Memorandum of
15 Points and Authorities, the Declarations of Class Counsel Enoch J. Kim and Kyle Nordrehaug, the
16 Declarations of Plaintiffs Arlen F. Alcantar and David Chiang, the Declarations of Mike
17 Sutherland and Bennett Berger submitted with this Motion, the [Proposed] Order granting the
18 Motion, all matters of which the Court may take notice, and upon such oral or documentary
19 evidence as the Court may receive at or before the hearing on this unopposed Motion.

20 DATED: August 12, 2025

D.LAW, INC.

21 By 
22 David Yeremian
23 Alvin B. Lindsay
24 Enoch J. Kim
25 Arianna Razi
26 Attorneys for Plaintiffs and Class
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