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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

JUSTIN DELAGARZA, an individual, for
himself, and all members of the putative class,

Plaintiff,

v.

SCAFCO CORPORATION D/B/A CWALLA
BUILDING MATERIALS, a Washington
Corporation; and DOES 1 through 100, inclusive,

Defendants.

CASE NO.: 21STCV37695

[Assigned for All Purposes to the
Honorable William F. Highberger, Dept. 10]

~~PROPOSED~~ ORDER GRANTING
REQUEST FOR DISMISSAL PURSUANT
TO CALIFORNIA RULES OF COURT,
RULE 3.770

[Filed concurrently with Request for Dismissal]

Complaint Filed: October 13, 2021
Trial Date: None Set

Pursuant to California Rule of Court 3.770 and based on Plaintiff Justin Delagarza's ("Plaintiff") Request for Dismissal Pursuant to California Rules of Court, rule 3.770 and the Declaration of Ryan A. Crist in support thereof, and for good cause shown,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Plaintiff's individual claims alleged in the operative complaint against and Defendant SCAFCO CORPORATION D/B/A CWALLA BUILDING MATERIALS are dismissed with prejudice.

2. The putative class members' claims alleged in the operative complaint against Defendant SCAFCO CORPORATION D/B/A CWALLA BUILDING MATERIALS are dismissed without prejudice and without notice to the unnamed putative class members pursuant to California Rule of Court, rule 3.770(c).

3. The non-individual PAGA claim alleged in the operative complaint against Defendant SCAFCO CORPORATION D/B/A CWALLA BUILDING MATERIALS is dismissed without prejudice.

4. The dismissal of this case will have no res judicata or collateral estoppel effect should any claim be brought by any other individual or entity, including claims identical or substantially similar to Plaintiff's claims in this case.

5. Each party shall bear their own attorneys' fees and costs.

IT IS SO ORDERED.

Dated: 07/06/2022



Honorable William F. Highberger
Los Angeles County Superior Court

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I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 43364 10th Street West, Lancaster, California 93534.

On June 30, 2022, I served the foregoing document described as **[PROPOSED] ORDER GRANTING REQUEST FOR DISMISSAL PURSUANT TO CALIFORNIA RULES OF COURT, RULE 3.770** as follows:

*Counsel for Defendant SCAFCO Corporation D/B/A
CWALLA Building Materials*

[X] Said document was electronically transmitted to CASE ANYWHERE at www.caseanywhere.com on the date stated herein to be served on all parties included on the service listed provided to CASE ANYWHERE in accordance with the procedures set forth in the ORDER AUTHORIZING ELECTRONIC SERVICE (CASE ANYWHERE).

[X] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Maria Rios