

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)
Sydney Castillo-Johnson (State Bar #343881)
Monnett De La Torre (State Bar #272884)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 599-8292
Facsimile: (619) 599-8291
jlapuyade@jcl-lawfirm.com
scastillo@jcl-lawfirm.com
mdelatorre@jcl-lawfirm.com

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)
Jackland K. Hom (State Bar #327243)
Julieann Alvarado (State Bar #334727)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619)255-9047
Facsimile: (858) 404-9203
shani@zakaylaw.com
jackland@zakaylaw.com
julieann@zakaylaw.com

Attorneys for Plaintiff JAMES F. RACHAL, JR.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

JAMES F. RACHAL, JR., an individual, on
behalf of himself, and on behalf of all persons
similarly situated,

Plaintiff,

v.

ELG METALS, INC., a Pennsylvania
Corporation; and DOES 1-50, Inclusive,

Defendants.

Case No. 20STCV45861

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

Date: November 18, 2022

Time: 10:30 a.m.

Judge: Hon. Stuart M. Rice

Dept.: 1

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on November 18, 2022, at 10:30 a.m., or as soon thereafter as
3 counsel may be heard, in Department 1 of the Los Angeles County Superior Court, the Honorable
4 Stuart M. Rice presiding, plaintiff JAMES F. RACHAL, JR., will, and hereby does, move this Court
5 to:

6 1. Preliminarily approve the settlement described in the Joint Stipulation of Settlement and
7 Release of Class and PAGA Action (“Agreement”) attached as Exhibit A to the Declaration of Jean-
8 Claude Lapuyade, Esq. filed concurrently herewith;

9 2. Conditionally certify the Settlement Class;

10 3. Approve distribution of the proposed Notice of Pendency of Class Action Settlement to
11 the Class;

12 4. Appoint Plaintiff JAMES F. RACHAL, JR., as the Class Representative;

13 5. Appoint the JCL Law Firm, APC and Zakay Law Group, APLC as Class Counsel; and

14 7. Set a hearing date for final approval of the settlement.

15 This Motion is based upon: (1) this Notice of Motion and Motion; (2) the Memorandum of Points
16 and Authorities in Support of Motion for Preliminary Approval of Class Action and PAGA Settlement;
17 (3) the Declaration of Jean-Claude Lapuyade, Esq.; (4) the Declaration of Shani O. Zakay, Esq.; (5)
18 the Declaration of James F. Rachal, Jr.; (6) the Joint Stipulation of Settlement and Release of Class
19 and PAGA Action and exhibit attached thereto; (7) the [Proposed] Order Granting Preliminary
20 Approval of Class Action and PAGA Settlement and exhibits attached thereto; (8) the records,
21 pleadings, and papers filed in this action; and (9) upon such other documentary and oral evidence or
22 argument as may be presented to the Court at or prior to the hearing of this Motion.

23
24 ///

25 ///

26 ///

27 ///

1 **As this Motion is unopposed, the Parties respectfully request relief from the page limit**
2 **requirement set by California Rules of Court, Rule 3.1113(d).**

3
4 Dated: October 25, 2022

JCL LAW FIRM, APC

5 By: 
6 Jean-Claude Lapuyade
7 Attorneys for Plaintiff
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28