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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

GABRIEL GUZMAN JR., on behalf of himself
and on behalf of all persons similarly situated,

Plaintiffs,

v.

VULCAN MATERIALS COMPANY, a New
Jersey Corporation; CALMAT CO., a
Delaware Corporation; and DOES 1-50
Inclusive,

Defendants.

Case No. 37-2021-00024583-CU-OE-CTL

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

Date: October 14, 2022

Time: 1:30 PM

Judge: Honorable Katherine Bacal

Dept.: C-69

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

2 PLEASE TAKE NOTICE that on October 14, 2022, at 1:30 p.m. or as soon thereafter as counsel
3 may be heard, in Department C-69 of the San Diego County Superior Court, the Honorable Judge
4 Katherine Bacal presiding, plaintiffs GABRIEL GUZMAN JR. and JAMES SANCHO (“Plaintiffs”)
5 will, and hereby do, move this Court to:

6 1. Preliminarily approve the settlement described in the Stipulation of Settlement of Class
7 and PAGA Action Claims and Release of Claims (“Agreement”) attached as Exhibit A to the Declaration
8 of Jean-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 Plaintiffs GABRIEL GUZMAN and JAMES SANCHO as the Class
13 Representatives;

14 5. Appoint the JCL Law Firm, APC, Zakay Law Group, APC and Bradley Grombacher LLP
15 as Class Counsel; and

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

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

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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).**

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4 Dated: September 20, 2022

JCL LAW FIRM, APC

5 By: 
6 Jean-Claude Lapuyade
7 Attorneys for Plaintiff
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