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Attorneys for PLAINTIFFS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

KEVIN DION COCROFT and EFRAIM
ALVARADO, individuals, on behalf of
himself, and on behalf of all persons similarly
situated,

Plaintiffs,

v.

EQUIPMENTSHARE.COM INC., and DOES
1-50, Inclusive,

Defendants.

Case No: 37-2024-00021084-CU-OE-CTL

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

Date: June 6, 2025

Time: 10:30 a.m.

Judge: Hon. Loren Freestone

Dept.: C-64

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

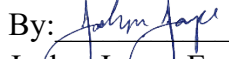
2 YOU ARE HEREBY NOTIFIED THAT at 10:30 a.m. on June 6, 2025, or as soon
3 thereafter as the matter can be heard, in Department C-64 of the above entitled Court, before the
4 Honorable Judge Loren Freestone, Kevin Dion Cocroft and Efraim Alvarado (“Plaintiffs”) will
5 apply for an order (1) preliminarily approving the proposed settlement of this class and PAGA
6 action with Defendant EquipmentShare.Com Inc. (“Defendant”); (2) approving the form and
7 method for providing class-wide notice; (3) directing that notice of the proposed settlement be
8 given to the class; and (4) scheduling a final approval hearing date to consider Plaintiffs’ motion
9 for final approval of the settlement and entry of the Judgment, and Plaintiffs’ motion for approval
10 of attorneys’ fees and litigation expenses.

11 This motion for preliminary approval of the class settlement is brought pursuant to
12 California Rules of Court, rule 3.769. Plaintiffs’ motion will be based on this notice of motion
13 and motion, the accompanying points and authorities, the Declaration of Shani O. Zakay, Esq., the
14 Declaration of Jean Claude Lapuyade, Esq., the Declaration of the Parties’ Settlement
15 Administrator, the Stipulation of Settlement of Class and PAGA Action Claims and Release of
16 Claims (“Agreement”) between the Parties, and the complete files and records in this action. All
17 parties have agreed to the proposed class settlement and have met and conferred regarding the
18 motion; therefore, this motion is not opposed by Defendant.

21 DATED: May 14, 2025

20 Respectfully submitted,

ZAKAY LAW GROUP, APLC

23 By: 
24 Jaclyn Joyce, Esq.
25 ATTORNEY FOR PLAINTIFFS