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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

DEC 07 2022

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BY Alfie Cervantes
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9 Attorneys for Defendants
10 ITS TECHNOLOGIES & LOGISTICS, LLC,
11 CONGLOBAL INDUSTRIES, LLC, AND
12 CONGLOBAL TRANSPORT, LLC

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF SAN BERNARDINO

16 STEVEN DELCORSO, individually, and on
17 behalf of aggrieved employees pursuant to the
Private Attorneys General Act ("PAGA");

18 Plaintiff,

19 v.

20 ITS TECHNOLOGIES & LOGISTICS, LLC, an
21 Illinois limited liability company; CONGLOBAL
INDUSTRIES, LLC, a Delaware limited liability
22 company; CONGLOBAL TRANSPORT, LLC, a
23 Delaware limited liability company; and DOES 1
through 100, inclusive;

24 Defendants.

Case No. CIVSB2128129

**DEFENDANTS' NOTICE OF NON-
OPPOSITION TO PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

ASSIGNED FOR ALL PURPOSES TO
JUDGE David Cohn, Dept. S-26

Hearing Date: December 20, 2022
Time: 9:00 a.m.
Dept: S-26

Complaint Filed: September 30, 2021

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

26 PLEASE TAKE NOTICE that Defendants ITS Technologies & Logistics, LLC, ConGlobal
27 Industries, LLC, and ConGlobal Transport, LLC (collectively "Defendants") do not oppose the Motion
28 for Preliminary Approval of Class Action Settlement filed by Plaintiff Steven DelCorso ("Plaintiff")

DEFENDANTS' NOTICE OF NON-OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

By Fax

1 on November 23, 2022 and currently set to be heard on December 20, 2022 at 9:00 a.m. in Department
2 S-26 of the above-captioned Court.

3 Defendants have denied, and continue to deny, all of Plaintiff's claims, allegations and theories
4 of liability and damages alleged in this Action and the related federal class action previously filed by
5 Plaintiffs Raul "Rudy" Ortega and Clemente Sandoval, and that shall be consolidated with this Action
6 by way of the First Amended Complaint (Ex. 2 to Han Declaration) at the time of preliminary approval.
7 However, further defense of this collective litigation would be protracted and expensive. Substantial
8 amounts of Defendants' time, energy and resources have been and, unless this Settlement is made,
9 will continue to be devoted to the defense of Plaintiffs' respective class action and PAGA
10 representative lawsuits, both before the above-captioned Court and/or before the federal district court.
11 Therefore, Defendants have agreed to settle the Action in the manner and upon the terms in the Parties'
12 Joint Stipulation of Class and PAGA Settlement (the "Settlement") (Exhibit 3 to Han Declaration).
13 Defendants believe the Settlement is fair, adequate and reasonable, and is in the best interests of all
14 parties, the Class Members, and aggrieved employees.

15 Accordingly, Defendants do not oppose Plaintiffs' request that the Court enter an order
16 preliminarily approving the Settlement submitted by Plaintiffs in support of the Motion, substantially
17 in the form of the [Proposed] Order Granting Plaintiffs' Motion for Preliminary Approval of Class
18 Action and PAGA Settlement.

19
20 Dated: December 7, 2022

LITTLER MENDELSON, P.C.



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22
23 Sarah E. Ross
Kara A. Cole

24 Attorneys for Defendants
25 ITS TECHNOLOGIES & LOGISTICS, LLC;
26 CONGLOBAL INDUSTRIES, LLC, AND
27 CONGLOBAL TRANSPORT, LLC
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