# UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA (Eastern Division - Riverside) CIVIL DOCKET FOR CASE #: 5:22-cv-00842-JLS-SHK

Barbara Grady v. RCM Technologies, Inc. Assigned to: Judge Josephine L. Staton

Referred to: Magistrate Judge Shashi H. Kewalramani Case in other court: San Bernardino Superior Court,

CIVSB2204890

Cause: 28:1441 Notice of Removal

### **Plaintiff**

#### **Barbara Grady**

individually and on behalf of all others similarly situated

Date Filed: 05/19/2022 Jury Demand: Plaintiff

Nature of Suit: 790 Labor: Other

Jurisdiction: Diversity

#### represented by Joshua G Konecky

Schneider Wallace Cottrell Konecky LLP 2000 Powell Street Suite 1400 Emeryville, CA 94608

415-421-7100 Fax: 415-421-7105

Email: jkonecky@schneiderwallace.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### Nathan Bunnell Piller

Schneider Wallace Cottrell Konecky LLP 2000 Powell Street Suite 1400

Emeryville, CA 94608

415-421-7100

Fax: 415-421-7105

Email: npiller@schneiderwallace.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### **Yuri Alexander Chornobil**

Schneider Wallace Cottrell Konecky LLP

2000 Powell Street Suite 1400

Emeryville, CA 94608

415-421-7100

Fax: 415-421-7105

Email: ychornobil@schneiderwallace.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

#### Sarah McCracken

Schnieder Wallace Cottrell Konecky LLP 2000 Powell Street Suite 1400

Emeryville, CA 94608

415-421-7100

Fax: 415-421-7105

Email: smccracken@schneiderwallace.com

ATTORNEY TO BE NOTICED

## **Defendant**

RCM Technologies, Inc.,

# represented by Martha J Keon

Littler Mendelson
Three Parkway 1601 Cherry Street Suite
1400
Philadelphia, PA 19102-1321
267-402-3050
Fax: 267-960-5491
Email: mkeon@littler.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

# Shannon R Boyce

Littler Mendelson PC 2049 Century Park East 5th Floor Los Angeles, CA 90067-3107 310-553-0308

Fax: 310-553-5583

Email: sboyce@littler.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text	
05/19/2022	1	NOTICE OF REMOVAL from San Bernardino Superior Court, case number CIVSB2204890 Receipt No: ACACDC-33328060 - Fee: \$402, filed by Defendant RCM Technologies, Inc.,. (Attachments: # 1 Exhibit A - Complaint, # 2 Exhibit B - Answer, # 3 Exhibit C - Initial CMC Order) (Attorney Shannon R Boyce added to party RCM Technologies, Inc.,(pty:dft))(Boyce, Shannon) (Entered: 05/19/2022)	
05/19/2022	2	IVIL COVER SHEET filed by Defendant RCM Technologies, Inc.,. (Boyce, Shannon) Entered: 05/19/2022)	
05/19/2022	3	ORPORATE DISCLOSURE STATEMENT & NOTICE OF INTERESTED PARTIES led by Defendant RCM Technologies, Inc., identifying RCM Technologies, Inc. as orporate Parent. (Boyce, Shannon) (Entered: 05/19/2022)	
05/19/2022	4	PROOF OF SERVICE filed by Defendant RCM Technologies, Inc.,, re Corporate Disclosure Statement 3, Notice of Removal (Attorney Civil Case Opening), 1, Civil Cover Sheet (CV-71) 2 served on May 19, 2022. (Boyce, Shannon) (Entered: 05/19/2022)	
05/19/2022		CONFORMED COPY OF COMPLAINT filed by Plaintiff Barbara Grady in San Bernardino Superior Court on 2/7/2022, attached as Exhibit A. (jtil) (Entered: 05/23/2022)	
05/19/2022		NON CONFORMED COPY OF ANSWER to Complaint filed by Defendant RCM Technologies, Inc., attached as Exhibit B. (jtil) (Entered: 05/23/2022)	
05/23/2022	<u>5</u>	NOTICE OF ASSIGNMENT of Eastern Division Removal Case and Notice re Consent to proceed before a U.S. Magistrate Judge. This case was initially assigned to District Judge Jesus G. Bernal and referred to Magistrate Judge Shashi H. Kewalramani for discovery. Pursuant to General Order 21-01, this case has been randomly reassigned to District Judge	

		Josephine L. Staton. The case number on all documents filed with the Court in this case should read as follows: 5:22-cv-00842 JLS (SHKx). (jtil) (Entered: 05/23/2022)		
05/23/2022	6	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (jtil) (Entered 05/23/2022)		
05/23/2022	7	Notice to Counsel Re Consent to Proceed Before a United States Magistrate Judge. (jtil) (Entered: 05/23/2022)		
05/23/2022	8	INITIAL STANDING ORDER FOR CASES ASSIGNED TO JUDGE JOSEPHINE L. STATON upon filing of the complaint. (droj) (Entered: 05/23/2022)		
05/23/2022	9	ORDER SETTING SCHEDULING ORDER by Judge Josephine L. Staton. A Schedulin Conference is set for Friday, July 15, 2022 at 10:30 a.m. See attached Order for details. (droj) (Entered: 05/23/2022)		
07/01/2022	10	JOINT REPORT Rule 26(f) Discovery Plan; estimated length of trial 7-10 days, filed by Plaintiff Barbara Grady (Piller, Nathan) (Entered: 07/01/2022)		
07/12/2022	<u>11</u>	REQUEST for Leave of Nathan Piller to Appear for Request for Permission to Appear Remotely at July 15, 2022 Scheduling Conference filed by Plaintiff Barbara Grady. (Attachments: # 1 Declaration, # 2 Proposed Order) (Piller, Nathan) (Entered: 07/12/2022)		
07/12/2022	12	MINUTES (In Chambers) SCHEDULING ORDER by Judge Josephine L. Staton: On t Court's own motion, the Scheduling Conference set for hearing 7/15/2022, is VACATEI and the following schedule is set. Last Day to File a Motion to Add Parties or Amend Pleadings: 9/9/2022. Fact Discovery Cutoff: 6/30/2023. Last Day to File Motions (Excluding Daubert Motions and all other Motions in Limine): 7/14/2023. Last Day to Serve Initial Expert Reports: 7/14/2023. Last Day to Serve Rebuttal Expert Reports: 8/11/2023. Expert Discovery Cutoff: 9/8/2023. Last Day to Conduct Settlement Proceedings: 9/1/2023. Last Day to File Other Motions in Limine (Excluding Daubert Motions): 2/2/2024. Final Pretrial Conference set for 3/1/2024 at 10:30 AM. (See document for further information). (jp) (Entered: 07/12/2022)		
07/13/2022	<u>13</u>	CIVIL TRIAL ORDER (Entered: 07/13/2022)		
07/13/2022	14	ORDER/REFERRAL to ADR Procedure No. 3 by Judge Josephine L. Staton. Case order to a private mediator based upon a stipulation of the parties or by the court order. ADR Proceeding to be held no later than September 1, 2023. (Entered: 07/13/2022)		
10/13/2022	15	Joint REQUEST to Continue Class Certification Deadlines and other deadlines from January 20, 2023 to May 19, 2023 Re: Scheduling Order,, Terminate Hearings,, Set/Reset Deadlines/Hearings,, 12 filed by Defendant RCM Technologies, Inc.,. (Boyce, Shannon) (Entered: 10/13/2022)		
10/20/2022	<u>16</u>	NOTICE of Appearance filed by attorney Sarah McCracken on behalf of Plaintiff Barbara Grady (Attorney Sarah McCracken added to party Barbara Grady(pty:pla))(McCracken, Sarah) (Entered: 10/20/2022)		
10/21/2022	17	NOTICE OF MOTION for Order for Informal Discovery Dispute Video Conference set for 11/8/2022 10:00 AM before Magistrate Judge Shashi H. Kewalramani. (dc) (Entered: 10/21/2022)		
10/24/2022	18	NOTICE OF LODGING filed re Joint REQUEST to Continue Class Certification Deadlines and other deadlines from January 20, 2023 to May 19, 2023 Re: Scheduling Order,,,, Terminate Hearings,,,, Set/Reset Deadlines/Hearings,,, 12 15 (Attachments: # 1 Proposed Order)(Boyce, Shannon) (Entered: 10/24/2022)		

10/26/2022	19	ORDER GRANTING in Part Joint Request to Continue Class Certification and Pretria Deadlines (Doc. 15) by Judge Josephine L. Staton that the pre-trial dates are continued indicated below: Fact Discovery Cutoff: 9/1/2023. Last Day to File Motions (Excludin Daubert Motions and all other Motions in Limine): 9/15/2023. Last Day to Serve Initial Expert Reports: 9/15/2023. Last Day to Serve Rebuttal Expert Reports: 10/20/2023. Expert Discovery Cutoff: 11/10/2023. Last Day to Conduct Settlement Proceedings: 11/3/202 Last Day to File Other Motions in Limine (Excluding Daubert Motions): 12/29/2023. Pretrial Conference set for 4/26/2024 at 10:30 AM. (See document for further information). (jp) (Entered: 10/27/2022)	
11/08/2022	20	MINUTES OF ORDER RE: INFORMAL DISCOVERY DISPUTE re: 17 Motion for Informal Discovery Dispute; Telephone Conference held before Magistrate Judge Shashi H. Kewalramani. As discussed on the record, the discovery issue is continued to December 9, 2022, at 9:00 a.m. pending the settlement conference outcome that is currently scheduled for December 7, 2022. Court Recorder: CourtSmart -RS No. 4. (hr) (Entered: 11/08/2022)	
12/05/2022	21	SCHEDULING NOTICE by Magistrate Judge Shashi H. Kewalramani previously scheduled for December 9, 2022 9:00 a.m. has been terminated. The parties are to conta the court clerk to provide alternative dates. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (dc) TEXT ONLY ENTRY (Entered: 12/05/2022)	
12/16/2022	22	NOTICE of Related Case(s) filed by Defendant RCM Technologies, Inc.,. Related Case 3:22-cv-02004-GPC-AGS (Boyce, Shannon) (Entered: 12/16/2022)	
12/16/2022	23	STIPULATION to Stay Case pending MOTION FOR PRELIMINARY APPROVAL C SETTLEMENT filed by Plaintiff Barbara Grady Barbara Grady. (Attachments: # 1 Proposed Order)(Konecky, Joshua) (Entered: 12/16/2022)	
01/10/2023	24	ORDER RE NOTICE OF SETTLEMENT (Doc. 23) by Judge Josephine L. Staton, the Court HEREBY ORDERS: (1) All currently pending pre-trial hearing dates and deadling are hereby STAYED pending the Courts ruling on the Parties' forthcoming motion for preliminary approval of class action settlement. The motion or a further status report should be filed no later than 1/31/2023. (jp) (Entered: 01/11/2023)	
01/31/2023	<u>25</u>	STATUS REPORT <i>JOINT</i> filed by Plaintiff Barbara Grady. (Konecky, Joshua) (Entered 01/31/2023)	
01/31/2023	<u>26</u>	AMENDED DOCUMENT filed by Plaintiff Barbara Grady. Amendment to Status Repo 25 JOINT (Attachments: # 1 Proposed Order)(Konecky, Joshua) (Entered: 01/31/2023)	
02/03/2023	27	ORDER RE: JOINT STATUS REPORT (Doc. 25) by Judge Josephine L. Staton. The parties shall file a motion for preliminary approval of their proposed class action settleme agreement no later than 3/3/2023. (jp) (Entered: 02/03/2023)	
03/03/2023	28	NOTICE OF MOTION AND MOTION for Settlement Approval of Class Action and PAGA Settlement <i>Preliminary</i> filed by Plaintiff Barbara Grady. Motion set for hearing on 4/28/2023 at 10:30 AM before Judge Josephine L. Staton. (Attachments: # 1 Declaration Declaration of Joshua G. Konecky, # 2 Exhibit Exhibit A to Joshua G. Konecky Declaration, # 3 Exhibit Exhibit B to Joshua G. Konecky Declaration, # 4 Exhibit Exhibit C to Joshua G. Konecky Declaration, # 5 Declaration Declaration of Lisa Mullins) (Konecky, Joshua) (Entered: 03/03/2023)	
03/06/2023	29	SCHEDULING NOTICE by Judge Josephine L. Staton: The Court, on its own motion, hereby continues the hearing on Motion for Settlement Approval of Class Action and PAGA Settlement Preliminary 28, currently set for April 28, 2023 at 10:30 a.m., to May 5, 2023 at 10:30 a.m. (Entered: 03/06/2023)	

05/02/2023	ORDER DENYING WITHOUT PREJUDICE Plaintiff's Motion for Preliminary Appro of Class Action and PAGA Settlement (DOC. <u>28</u> ) by Judge Josephine L. Staton that Grady's Motion is DENIED. Any renewed motion for preliminary approval or motion for class certification is due to be filed within sixty (60) days from the issuance of this Orde (jp) (Entered: 05/03/2023)			
06/30/2023	Renewed NOTICE OF MOTION AND MOTION for Settlement Approval of Preliminary Approval of Class Action and PAGA Settlement filed by Plaintiff Barbara Grady. Motion set for hearing on 8/18/2023 at 10:30 AM before Judge Josephine L. Staton. (Attachments # 1 Declaration of Joshua Konecky in Support of Renewed Motion for Preliminary Approval, # 2 Exhibit A to Konecky Decl - Amended Settlement Agreement, # 3 Exhibit E to Konecky Decl - Redlined Settlement Agreement, # 4 Exhibit C to Konecky Decl - Amended Notice of Settlement, # 5 Exhibit D to Konecky Decl - Joshua Konecky CV, # 6 Declaration of Cheryl Borelli, # 7 Declaration of Lisa Mullins of ILYM Group, Inc., # 8 Proposed Order Granting Renewed Motion for Preliminary Approval of Settlement) (Konecky, Joshua) (Entered: 06/30/2023)			
07/03/2023	TEXT ENTRY (IN CHAMBERS) SCHEDULING NOTICE CONTINUING PLAINTIFF'S RENEWED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT 31 by Judge Josephine L. Staton: The Court, on its own motion, hereby continues the hearing on Plaintiff's Renewed Motion for Preliminary Approval of Class Action and Paga Settlement currently set for August 18, 2023 to August 25, 2023 at 10:30 a.m. Counsel is reminded to refer to the list of CLOSED motion dates on Judge Statons Procedures and Schedules page prior to filing future motions. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vv) (Entered: 07/03/2023)			
08/25/2023	MINUTES OF Plaintiff's Renewed Motion for Preliminary Approval of Class Action and Paga Settlemtn 31 before Judge Josephine L. Staton: The motion hearing is held. The Court DENIES the motion without prejudice. The parties will have approximately 120 days to re-file. Formal order to follow. Court Reporter: April Lassiter-Benson. (jp) (Entered: 08/28/2023)			
08/28/2023	TRANSCRIPT ORDER as to Plaintiff Barbara Grady for Court Reporter. Court will contact Tyler Smith at tsmith@schneiderwallace.com with further instructions regarding this order. Transcript preparation will not begin until payment has been satisfied with the court reporter. (Konecky, Joshua) (Entered: 08/28/2023)			
09/07/2023	ORDER by Judge Josephine L. Staton DENYING Plaintiff's Renewed Motion for Preliminary Approval of Class Action and PAGA Settlement <u>31</u> . See document for further information. (jp) (Entered: 09/07/2023)			
TEXT ONLY ENTRY by Judge Josephine L. Staton. Counsel and/or the parties a advised that the Court has updated its procedures in civil cases, including procedures encouraging consent to the magistrate judge in ordinary civil cases; setting forth presumptive schedules for class certification motion briefing; simplifying the rection substituting named defendants for Doe defendants; clarifying requirements for submission of mandatory chambers copies of voluminous exhibits; substituting of with the Local Rule regarding limitations on the number of words in the parties the Courts previous page limitations on briefing; imposing further limitations on number of words in reply briefs; updating the Courts procedures in the case of seincluding procedures for orders imposing stays of proceedings, orders of dismiss retention of jurisdiction by the Court; imposing limitations on both the number of content of motions in limine; and clarifying trial exhibit preparation, including the requirement to prepare a separate binder of exhibits for each witness. These updates found on the Courts procedures page, and/or the Courts Initial Standing Order are				

		Trial Order, attached thereto. IT IS SO ORDERED. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (cbr) TEXT ONLY ENTRY (Entered: 09/26/2023)			
01/24/2024	37	STATUS REPORT JOINT STATUS REPORT RE SURVEY OF PUTATIVE CLASS MEMBERS AND RENEWED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT filed by Plaintiff Barbara Grady. (Attachments: # 1 Proposed Order)(Konecky, Joshua) (Entered: 01/24/2024)			
02/05/2024	38	MINUTE (IN CHAMBERS) Order to Show Cause Why the Stay Should Not Lift by Judg Josephine L. Staton: Plaintiff is ORDERED to show cause why the stay should not lift so that litigation may resume. Plaintiff shall file a response of no more than ten (10) pages within ten (10) days of the issuance of this Order. Plaintiffs response should include a jointly-prepared scheduling order for the Court to issue in the event the stay is lifted. (jp) (Entered: 02/05/2024)			
02/15/2024	39	RESPONSE filed by Plaintiff Barbara Gradyto Order to Show Cause, <u>38</u> (Attachments: #Jointly Prepared Proposed Case Schedule, # <u>2</u> Proposed Order)(Konecky, Joshua) (Entered: 02/15/2024)			
02/18/2024	40	ORDER Re: Order to Show Cause and Jointly Prepared Scheduling Order (Doc. 39) by Judge Josephine L. Staton. The Court hereby DISCHARGES the Order to Show Cause a LIFTS the stay in this action. The Court ADOPTS the following case schedule: Fact Discovery Cutoff: 1/3/2025. Last Day to File Motions (Excluding Daubert Motions and a other Motions in Limine): 1/17/2025. Last Day to Serve Initial Expert Reports: 1/17/202 Last Day to Serve Rebuttal Expert Reports: 2/14/2025. Expert Discovery Cutoff: 1/3/202 Last Day to Conduct Settlement Proceedings: 2/28/2025. Last Day to File Other Motions in Limine (Excluding Daubert Motions): 5/2/2025. Final Pretrial Conference set for 6/6/2025 at 10:30 AM. (See document for further information). (jp) (Entered: 02/20/2024)			
06/21/2024	41	NOTICE OF MOTION AND MOTION to Certify Class filed by Plaintiff Barbara Grady. Motion set for hearing on 8/30/2024 at 10:30 AM before Judge Josephine L. Staton. (Attachments: # 1 Declaration of Joshua Konecky, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 3A, # 6 Exhibit 3B, # 7 Exhibit 3C, # 8 Exhibit 4, # 9 Exhibit 5, # 10 Exhibit 6, # 11 Exhibit 7, # 12 Exhibit 8, # 13 Exhibit 9, # 14 Exhibit 10, # 15 Exhibit 11, # 16 Exhibit 12, # 17 Exhibit 13, # 18 Exhibit 14, # 19 Declaration Compendium of Plaintiff and Class Member Declarations, # 20 Proposed Order) (Konecky, Joshua) (Entered: 06/21/2024)			
07/11/2024	42	Joint STIPULATION to Vacate Class Certification Hearing and Setting Preliminary Approval Hearing NOTICE OF MOTION AND MOTION to Certify Class 41 filed by Defendant RCM Technologies, Inc.,. (Attachments: # 1 Proposed Order)(Boyce, Shannon) (Entered: 07/11/2024)			
07/14/2024	43	ORDER GRANTING Joint Stipulation and Order Vacating Class Certification Hearing an Setting Preliminary Approval Hearing (Doc. 42) by Judge Josephine L. Staton, the following ruling: (1) The Motion for Class Certification currently set for 8/30/2024 is hereby VACATED; (2) Plaintiffs Motion for Preliminary Approval of Class And PAGA Settlement will be filed by 7/26/2024. See document for further information. (jp) (Entered 07/15/2024)			
07/26/2024	44	NOTICE OF MOTION AND MOTION for Settlement Approval of Preliminary Approval of Class Action and PAGA Settlement filed by Plaintiffs Barbara Grady. Motion set for hearing on 8/23/2024 at 10:30 AM before Judge Josephine L. Staton. (Attachments: # 1 Declaration of Joshua G. Konecky, # 2 Exhibit A to Declaration of Joshua G. Konecky, # 5 Exhibit D to Declaration of Joshua G. Konecky, # 5 Exhibit D to Declaration of Joshua G. Konecky, # 6 Exhibit E to Declaration of Joshua G. Konecky, # 7 Exhibit F to Declaration of Joshua G. Konecky, # 8 Exhibit G.			

		Declaration of Joshua G. Konecky, # 9 Declaration of Barbara Ann Grady, # 10 Declaration of Alexander Williams, # 11 Proposed Order) (Konecky, Joshua) (Entered: 07/26/2024)	
08/22/2024	45	MINUTES (IN CHAMBERS) ORDER TAKING MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT UNDER SUBMISSION 44 by Judge Josephine L. Staton. Accordingly, the hearing set for August 23, 2024, at 10:30 a.m., is VACATED, and the Court takes the matter UNDER SUBMISSION. (rolm) (Entered: 08/22/2024)	
10/10/2024	46		

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