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17 SUPERIOR COURT OF CALIFORNIA
18 COUNTY OF ALAMEDA
19 UNLIMITED JURISDICTION

20 MICHAEL KANT, an individual,
21 Plaintiff,

22 v.

23 BIGGE CRANE AND RIGGING
24 CO., a business entity, form
25 unknown: and does 1 through 25,
26 inclusive,
27 Defendants.

Case No.: RG19047780

Stipulation for Court Approval of PAGA
Portion of Settlement;
~~Proposed~~ Order

Dept.: 24
Judge: Hon. Noel Wise

Complaint Filed: Dec. 20, 2019
Trial Date: Mar. 29, 2021

FILED
ALAMEDA COUNTY
JUN 21 2021

CLERK OF THE SUPERIOR COURT
By A. Simpson Deputy

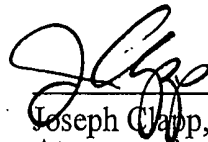
1 The parties, through their respective counsel, hereby jointly request the Court to
2 review and approve the PAGA portion of the settlement of this lawsuit. The written
3 settlement agreement – with all amounts redacted other than the amount to be paid to the
4 Labor & Workforce Development Agency – has been submitted to that agency. The entire
5 proposed settlement, unredacted, will be submitted to this Court under seal
6 contemporaneously with this stipulation.

7 This is a single-plaintiff PAGA case. California case law has held that a single
8 plaintiff may not bring a PAGA action solely for that one plaintiff. *Reyes v. Macy's, Inc.*
9 (2011) 202 Cal.App.5th 1119, 1123-1124 (“A plaintiff asserting a PAGA claim may not bring
10 the claim simply on his or her own behalf but must bring it as a representative action and
11 include ‘ “other current or former employees.” ’ ”(citation omitted)). Thus, the parties submit
12 that a payment of \$750.00 to the Labor & Workforce Development Agency is adequate to
13 fairly settle the PAGA claims at issue in this single-plaintiff case.

14 **It Is So Stipulated.**

15 Dated: June 8, 2021

Aiman-Smith & Marcy

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Joseph Clapp, Esq.
Attorneys for Plaintiff

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20 Dated: June 7, 2021

Freeman Mathis & Gary, LLP

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22 Candice E. Jackson, Esq.
23 Attorneys for Defendants
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It Is Hereby Ordered:

Date: June 21, 2021

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