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5 Attorney for Plaintiff
Arturo Romo
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8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF RIVERSIDE
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11 ARTURO ROMO, on behalf of himself and all
aggrieved employees,

12 Plaintiff,

13 v.

14 HP COMMUNICATIONS, INC., and DOES 1 to
15 100,

16 Defendants.
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) NO. RIC2002636

) PLAINTIFF ARTURO ROMO'S NOTICE
) OF MOTION AND MOTION TO
) APPROVE THE SETTLEMENT (NO
) PAGA PENALTIES AWARDED);
) MEMORANDUM OF POINTS AND
) AUTHORITIES; DECLARATION OF
) ADAM ROSE; DECLARATION OF
) ARTURO ROMO; PROPOSED ORDER

) Date: July 6, 2021

Time: 8:30 a.m.

Dept: 6

RES247607

21 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

22 Please take notice that on July 6, 2021 at 8:30 a.m. or as soon thereafter as may be heard in
23 Department 6 of the Riverside County Superior Court located at 4050 Main St., Riverside, CA
24 92501, plaintiff Arturo Romo will move the court pursuant to Labor Code section 2966(l)(2) and
25 the PAGA case management order to approve the settlement reached in this case. No PAGA
26 penalties are being paid under the settlement. The motion is based on this notice, the memorandum
27 of points and authorities, pleadings on file, and arguments at the hearing.
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1 Date: May 20, 2021

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4 Adam Rose
5 Attorney for Plaintiff
6 Arturo Romo
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. DESCRIPTION OF CASE

3 Plaintiff worked on construction-related projects for HP Communications, Inc., which
4 installs underground cables. Plaintiff was terminated on January 29, 2020. Plaintiff claimed he was
5 terminated due to making a worker's compensation claim for falling into a box and injuring his
6 shoulder. Also, Plaintiff claimed he was not paid for all hours worked and was not able to take
7 meal and rest breaks.

8 This case, which included a cause of action for PAGA penalties, was filed on July 10, 2020.
9 The settlement that was reached was fully signed on May 7, 2021.

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11 II. COMPLIANCE WITH PAGA CASE MANAGEMENT ORDER

12 Since the contemplated settlement is only for Plaintiff's individual claims, parts of the
13 PAGA case management order do not apply. It appears that the following paragraphs from Part C
14 of the PAGA case management order apply: 1, 2, 5, and 7. Paragraph 1 is an overarching statement
15 that the court must review the settlement. Paragraph 2 states the motion must be supported by
16 declarations. Paragraph 5 refers to the required content of the supporting declaration regarding
17 valuation of the claims. The declaration of Adam Rose addresses these points. Finally, Paragraph 7
18 relates to necessary content of supporting declarations regarding no prejudice to the aggrieved
19 employees. The declarations of Adam Rose and Arturo Romo address these points.

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21 III. CONCLUSION

22 Based on the above and the supporting declarations, Plaintiff respectfully requests the court
23 to grant the motion to approve the settlement.

24 Date: May 20, 2021

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25
26 
27 Adam Rose
28 Attorney for Plaintiff
Arturo Romo