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Attorneys for Plaintiff,
MARIA PARRA

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

APR 17 2025

BY Jennifer Medina
JENNIFER MEDINA, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO, CIVIL DIVISION

MARIA PARRA, an individual,

Plaintiff,

v.

Case No.: CIVDS2022406

*Assigned to the Honorable Judge Gilbert G. Ochoa,
Dept. S24*

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER RE: DISMISSAL OF PLAINTIFF'S
PAGA CLAIMS WITHOUT PREJUDICE**

DT MANAGEMENT LLC, an Arizona limited
liability corporation; DOUBLETREE DTWC
LLC d/b/a DOUBLETREE BY HILTON
ONTARIO AIRPORT, a Delaware limited
liability company; DT ONTARIO HOTEL
PARTNERS LESSEE LLC, a California limited
liability company; DOUBLETREE BY
HILTON ONTARIO AIRPORT, an entity of
unknown form; and DOES 1 through 20,
inclusive,

Action Filed: October 15, 2020
Trial-Arbitration Date: Vacated

Defendants.

Plaintiff Maria Parra, an individual ("Plaintiff"), by and through her attorneys of record, Law
Offices of Ramin R. Younessi, a Professional Law Corporation, and Defendants DT MANAGEMENT
LLC; DOUBLETREE DTWC LLC d/b/a DOUBLETREE BY HILTON ONTARIO AIRPORT; and
DT ONTARIO HOTEL PARTNERS LESSEE LLC, (hereinafter collectively referred to as
"Defendants"), hereby stipulate and agree as follows:

WHEREAS, a settlement in this case was reached on December 3, 2024;

1 WHEREAS the parties reached an agreement to resolve Plaintiff's individual claims for a
2 confidential amount which does not include any resolution of Plaintiff's Private Attorney General Act
3 ("PAGA") claims.

4 WHEREAS, Plaintiff no longer wishes to pursue the PAGA cause of action.

5 WHEREAS, Plaintiff sought but did not receive any discovery to identify other alleged
6 aggrieved employees or notify other alleged aggrieved employees as to this lawsuit.

7 WHEREAS, Plaintiff has not sought the express consent of other alleged aggrieved employees to
8 pursue this lawsuit on their behalf.

9 WHEREAS, Plaintiff has not given other alleged aggrieved employees the opportunity to opt-out
10 of Plaintiff's representation in this matter.

11 WHEREAS, this stipulation to dismiss the PAGA claims without prejudice shall be served to the
12 California Labor Workforce ("LWDA") at the same time that it is submitted to this Court.

13 WHEREAS, this Court may determine that the rights of other alleged aggrieved employees will
14 not be prejudiced for two significant reasons. *First*, unlike class actions where the class plaintiff
15 prosecutes the action on behalf of the putative class members, Plaintiff here did *not* prosecute the action
16 on behalf of the alleged similarly-aggrieved employees. In PAGA claims, the plaintiff employee
17 prosecutes on behalf of the Labor Commission; the alleged similarly-aggrieved employees have no
18 private right of action in those penalties and no entitlement to them. *Rope v. Auto-Chlor System of*
19 *Washington, Inc.* (2013) 220 Cal.App.4th 635, 650¹ ["In PAGA, the Legislature created an enforcement
20 mechanism for aggrieved employees to file representative actions to recover penalties in cases in which
21 there is no private cause of action as an alternative to enforcement by the Labor Commissioner"]; *Arias*
22 *v. Superior Court* (2009) 46 Cal.4th 969, 980–987, 95 Cal.Rptr.3d 588, 209 P.3d 923 [PAGA suit is a
23 representative action and need not be brought as a class action]. *Second*, there has been no discovery as
24 to the identities of other alleged aggrieved employees, nor has notice of this action been provided to
25 other alleged aggrieved employees. Thus, the parties are not aware of any alleged aggrieved employees
26 who have any expectations of recovery of any kind in this case, and to the extent any of them wish, in
27 the future, to pursue their own claims, they have the right to do that.

28 ¹ Superseded by statute on unrelated ground.

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THE PARTIES THEREFORE stipulate and jointly request that the Court dismiss Plaintiff's
twelfth cause of action of the complaint for PAGA penalties without prejudice.

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DATED: March 27, 2025

**LAW OFFICES OF RAMIN R. YOUNESSI
A PROFESSIONAL LAW CORPORATION**

By: Chris Afgani
Ramin R. Younessi, Esq.
Christopher S. Afgani, Esq
Attorneys for Plaintiff,
MARIA PARRA

DATED: March 27, 2025

JACKSON LEWIS, P.C.

By: /s/ Connie L. Chen
Connie L. Chen, Esq.

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~~PROPOSED~~ ORDER

The Court, having considered the Parties' Joint Stipulation, and all legal authorities in support thereof, and good cause appearing therefore, **HEREBY ORDERS** that Plaintiff's twelfth cause of action of the complaint for penalties pursuant to the Private Attorneys General Act ("PAGA") is dismissed without prejudice.

IT IS SO ORDERED.

DATED: APR 17 2025



THE HONORABLE ~~GILBERT G. OCHOA~~
JUDGE OF THE SUPERIOR COURT

Judge Carlos M. Cabrera

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 3435 Wilshire Boulevard, Suite 2200, Los Angeles, California 90010.

On March 27, 2025, I served the foregoing document described as **JOINT STIPULATION AND [PROPOSED] ORDER RE: DISMISSAL OF PLAINTIFF'S PAGA CLAIMS WITHOUT PREJUDICE** the interested parties in this action as follows:

☒ By emailing true copies addressed to each addressee as follows:

Connie L. Chen, Esq.
JACKSON LEWIS P.C.
725 South Figueroa Street, Suite 2500
Los Angeles, CA 90017-5408
Connie.Chen@jacksonlewis.com

Attorneys for Respondents
DT MANAGEMENT LLC; DOUBLETREE
DTWC LLC,
erroneously sued as DOUBLETREE DTWC
LLC d/b/a
DOUBLETREE BY HILTON ONTARIO
AIRPORT; and
DT ONTARIO HOTEL PARTNERS LESSEE
LLC

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California Labor & Workforce Development
Agency
Attn. PAGA Administrator
1515 Clay Street, Ste. 801
Oakland, CA 94612
(VIA ELECTRONIC SERVICE ONLY)

☒ BY ELECTRONIC MAIL: Pursuant to Code of Civil Procedure §§ 1010.6(a)(2), 1010.6(e), and 1013(g), and/or California Rules of Court 2.251(b)(1)-(2), I transmitted a copy of the aforementioned document to each addressee above to the email address(es) indicated.

☒ BY ELECTRONIC SERVICE: Pursuant to SB 836, I electronically filed a copy of the aforementioned document with California Labor & Workforce Development Agency Only.

Executed on March 27, 2025, at Los Angeles, California.

☒ STATE I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Elizabeth Pineda

