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Attorneys for Plaintiff RAFAEL MONDRAGON, as a representative of the State of California
and Labor and Workforce Development Agency,

COUNTY OF LOS ANGELES – CENTRAL DISTRICT
STANLEY MOSK COURTHOUSE

RAFAEL MONDRAGON,

Plaintiff,

v.

LET'S DO LUNCH; and DOES 1 through
50, inclusive,

Defendant.

Case No.: 20STCV29076

**JOINT STIPULATION TO DISMISS
PLAINTIFF'S INDIVIDUAL PAGA
CLAIMS WITH PREJUDICE AND NON-
INDIVIDUAL CLAIMS WITHOUT
PREJUDICE; [PROPOSED] ORDER**

Assigned for all purposes to:
Hon. Dean J. Kitchens, Dept.: 30

Complaint Filed: July 31, 2020
Jury Trial: Not Yet Set

1 Plaintiff Rafael Mondragon (“Plaintiff”) and Defendant Let’s Do Lunch, Inc.
2 (“Defendant”) (collectively, the “Parties”), by and through their attorneys of record, and with
3 good cause existing, hereby submit the following Joint Stipulation and Proposed Order to dismiss
4 Plaintiff’s claims under the Private Attorneys’ General Act of 2004 (“PAGA”). Specifically, the
5 Parties jointly request that the Court dismiss Plaintiff’s individual PAGA claims with prejudice
6 and the non-individual PAGA claims without prejudice. The Parties stipulate as follows:

7 WHEREAS, on July 31, 2020, Plaintiff commenced this action by filing a Complaint
8 against Defendant before this Court asserting a single cause of action under PAGA.

9 WHEREAS, on February 5, 2021, Defendant filed a Demurrer to Plaintiff’s Complaint
10 and requested a stay;

11 WHEREAS, on April 6, 2021, the Court entered a stay of this matter pending the
12 resolution of Plaintiff’s wage and hour lawsuit filed against Defendant on April 8, 2020, and
13 entitled *Rafael Mondragon v Let’s Do Lunch, Inc.* (Los Angeles County Superior Court, Case No.
14 20STCV13838) (the “Wage and Hour Action”);

15 WHEREAS, the Parties have since negotiated and entered into a confidential global
16 settlement agreement that releases Defendant from all of Plaintiff’s individual claims for a
17 confidential amount which does not include any resolution of PAGA claims on behalf of any
18 potentially aggrieved employees of Defendant;

19 WHEREAS, Plaintiff no longer wishes to pursue the PAGA cause of action or act as the
20 PAGA representative in this action and agrees to dismiss the PAGA cause of action with prejudice
21 as to himself;

22 WHEREAS, Plaintiff has not sought the express consent of other aggrieved employees to
23 pursue this lawsuit on their behalf nor has Plaintiff received any discovery as to the identities of
24 any potential aggrieved employees;

25 WHEREAS, this stipulation to dismiss the PAGA claims shall be served to the California
26 Labor & Workforce Development Agency (“LWDA”) at the same time that it is submitted to this
27 Court;

28 WHEREAS, this Court may determine that the rights of other aggrieved employees will

1 not be prejudiced for two significant reasons. First, unlike class actions where the class plaintiff
2 prosecutes the action on behalf of the putative class members, Plaintiff here did not prosecute the
3 action on behalf of the potentially aggrieved employees. In PAGA claims, the plaintiff employee
4 prosecutes on behalf of the Labor Commissioner; the potentially aggrieved employees have no
5 private right of action in those penalties and no entitlement to them. *Rope v. Auto-Chlor System*
6 *of Washington, Inc.* (2013) 220 Cal.App.4th 635, 6501 [“In PAGA, the Legislature created an
7 enforcement mechanism for aggrieved employees to file representative actions to recover
8 penalties in cases in which there is no private cause of action as an alternative to enforcement by
9 the Labor Commissioner”]; *Arias v. Superior Court* (2009) 46 Cal.4th 969, 980–987, 95
10 Cal.Rptr.3d 588, 209 P.3d 923 [PAGA suit is a representative action and need not be brought as
11 a class action]. Second, there has been no discovery as to the identities of other aggrieved
12 employees, nor has notice of this action been provided to other aggrieved employees. Thus, the
13 Parties are not aware of any other aggrieved employees who have any expectations of recovery
14 of any kind in this case, and to the extent any of them wish, in the future, to pursue their own
15 claims, they have the right to do that.

16 WHEREAS, Plaintiff is no longer available to prosecute the representative action on
17 behalf of the State of California and other “aggrieved employees” under PAGA;

18 NOW, THEREFORE, IT IS AGREED that, in the interest of judicial economy and justice:

- 19 1. Plaintiff’s individual PAGA claims should be dismissed with prejudice;
20 2. Plaintiff’s non-individual PAGA claims should be dismissed without prejudice; and
21 3. Each party will be responsible for their own attorneys’ fees and costs in connection with
22 the PAGA Action.

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1 **IT IS SO STIPULATED.**

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4 Dated: January 30, 2026

MAHONEY LAW GROUP, APC

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6
7 By: 
8 Katherine J. Odenbreit
9 Attorney for Plaintiff
10 RAFAEL MONDRAGON

11 Dated: January 30, 2026

SEYFARTH SHAW LLP

12
13
14 By: 
15 Michele J. Beilke
16 Julia Trankiem
17 Blake E. Guerrero
18 Attorneys for Defendant
19 LET'S DO LUNCH, INC.
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1 **[PROPOSED] ORDER**

2 Based on the stipulation of the Parties, and good cause having been shown, it is hereby
3 **ORDERED** as follows:

- 4 1. Plaintiff's individual PAGA claims are dismissed with prejudice;
5 2. Plaintiff's non-individual PAGA claims are dismissed without prejudice; and
6 3. Each Party shall bear their own attorneys' fees and costs in connection with the action;
7 4. Plaintiff shall provide notice of this order to Defendant and to the State of California,
8 Labor and Workforce Development Agency.

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10 **IT IS SO ORDERED.**

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12 Dated:

13 By:

14 _____
15 The Honorable Dean J. Kitchens
16 Judge of the Superior Court
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PROOF OF SERVICE
Code of Civ. Proc. § 1013a, subd. (3)

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 249 East Ocean Boulevard, Suite 814, Long Beach, California, 90802.

On **February 2, 2026**, I served [X] true copies [] originals of the following document(s):
JOINT STIPULATION TO DISMISS PLAINTIFF'S INDIVIDUAL PAGA CLAIMS WITH PREJUDICE AND NON-INDIVIDUAL CLAIMS WITHOUT PREJUDICE; [PROPOSED] ORDER. I served the document(s) on the person(s) below as follows:

Michele J. Beilke (SBN 194098) Blake E. Guerrero (SBN 322671) Julia Trankiem (SBN 228666) SEYFARTH SHAW LLP 601 South Figueroa Street, Suite 3300 Los Angeles, California 90017-5793	Attorneys for Defendant LET'S DO LUNCH, INC. Telephone: (213) 270-9600 Fax: (213) 270-9601 Emails: mbeilke@seyfarth.com bguerrero@seyfarth.com jtrankiem@seyfarth.com
State of California Labor and Workforce Development Agency -- Private Attorneys General Act ("PAGA")	Labor and Workforce Development Agency Filing Portal: https://dir.govfa.net/432 .

The document(s) were served by the following means:

☒ **By e-mail:** Based upon court order or an agreement of the parties to accept service by e-mail, I caused the document(s) to be sent to the persons at the electronic service addresses listed above from the email address Jrobles@mahoney-law.net. Within a reasonable time after the transmission, no error, electronic message or any other indication that the transmission was unsuccessful was received.

☒ **(State):** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **February 2, 2026**, at Long Beach, California.



Janet Robles