

1 **AEGIS LAW FIRM, PC**
2 KASHIF HAQUE, State Bar No. 218672
3 SAMUEL A. WONG, State Bar No. 217104
4 JESSICA L. CAMPBELL, State Bar No. 280626
5 CAROLYN M. BELL, State Bar No. 313435
6 9811 Irvine Center Drive, Suite 100
7 Irvine, California 92618
8 Telephone: (949) 379-6250
9 Facsimile: (949) 379-6251

10 Attorneys for Plaintiff Nancy Saldana, individually
11 and on behalf of all others similarly situated

12 Christian Keeney, CA Bar No. 269533
13 christian.keeney@ogletree.com
14 Patricia A. Matias, CA Bar No. 254125
15 patricia.matias@ogletree.com
16 Sarah Christenson, CA Bar No. 291548
17 sarah.christenson@ogletree.com
18 **OGLETREE, DEAKINS, NASH, SMOAK &**
19 **STEWART, P.C.**
20 Park Tower, Fifteenth Floor
21 695 Town Center Drive
22 Costa Mesa, CA 92626
23 Telephone: 714-800-7900
24 Facsimile: 714-754-1298

25 Attorneys for Defendant
26 Horizon Personnel Services, Inc.

27 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

28 **COUNTY OF LOS ANGELES**

19 NANCY SALDANA, individually and on
20 behalf of all others similarly situated,

21 Plaintiff,

22 vs.

23 HORIZON PERSONNEL SERVICES,
24 INC.; SPECIAL DISPATCH OF
25 CALIFORNIA, INC.; and DOES 1-10,
26 inclusive,

27 Defendants.

Case No. 20STCV15716

*Assigned for All-Purposes to
Hon. Kevin C. Brazile
Dept. 20*

**STIPULATION AND [PROPOSED] ORDER
FOR DISMISSAL OF PAGA ACTION**

Complaint Filed: April 24, 2020
Trial Date: None

FILED
Superior Court of California
County of Los Angeles

07/08/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: E. Lopez Deputy

1 IT IS STIPULATED by and between Plaintiff NANCY SALDANA (“Plaintiff”) and
2 Defendant HORIZON PERSONNEL SERVICES, INC. (“Defendant” or “Horizon”) (collectively,
3 the “Parties”), by and through their attorneys of record:

4 WHEREAS, on November 11, 2021, the Parties attended a full-day mediation session with
5 Michael D. Young, a respected mediator in wage and hour and individual employment actions.

6 WHEREAS, following the mediation, the Parties finalized and executed a confidential
7 individual settlement agreement;

8 WHEREAS, pursuant to the confidential settlement agreement, the Parties agreed that the
9 consideration for the dismissal of the PAGA claims without prejudice would be a mutual release of
10 associated costs.

11 WHEREAS, the Parties agreed that the settlement is specifically limited to Plaintiff’s claims
12 only, and does not release any PAGA claims of any other allegedly aggrieved employees, to the extent
13 any such individuals exist;

14 WHEREAS, the Parties have further agreed to seek the dismissal of this action with prejudice
15 as to Plaintiff, and without prejudice as to other “aggrieved employees,” to the extent any such
16 individuals exist;

17 WHEREAS, on June 21, 2022, Plaintiff notified the California Labor and Workforce
18 Development Agency (“LWDA”) that she is dismissing her PAGA claims against Defendant without
19 prejudice;

20 WHEREAS, pursuant to California Labor Code section 2699(l)(2), the superior court shall
21 review and approve any settlement of any civil action filed pursuant to the PAGA;

22 WHEREAS, California Labor Code section 2699(l)(2) does not prescribe any procedure for
23 how to request court approval of a PAGA settlement nor how to request court approval to dismiss
24 PAGA claims without prejudice. There is no requirement for a noticed motion. Thus, this stipulation
25 and request is submitted in lieu of a noticed motion; and

26 WHEREAS, pursuant to California Labor Code section 2699(l)(2), the proposed settlement
27 has been submitted to the California Labor and Workforce Development Agency concurrent with this
28 stipulation.

- 1 NOW THEREFORE, the Parties hereby stipulate, subject to the approval of this Court, that:
- 2 1. Good cause exists to approve the PAGA dismissal for a mutual release of associated
- 3 costs pursuant to Labor Code section 2699(1)(2).
- 4 2. This action is dismissed with prejudice as to Plaintiff, and without prejudice as to other
- 5 purported “aggrieved employees,” to the extent any such individuals exist.
- 6 3. Plaintiff shall submit a copy of this Order to the LWDA within ten (10) days after its
- 7 entry.

8 **IT IS SO STIPULATED.**

9 DATED: June 23, 2022

AEGIS LAW FIRM, PC

10 

11
12 Jessica Campbell
13 Alexander G.L. Davies
Attorneys for Plaintiff Nancy Saldana

14 DATED: June 23, 2022

15
16
17 Christian Keeney
18 Patricia A. Matias
19 Sarah Christenson
OGLETREE, DEAKINS, NASH, SMOAK &
20 STEWART, P.C.
21 Attorneys for Defendant Horizon Personnel
22 Services, Inc.
23
24
25
26
27
28

1 NOW THEREFORE, the Parties hereby stipulate, subject to the approval of this Court, that:

2 1. Good cause exists to approve the PAGA dismissal for a mutual release of associated
3 costs pursuant to Labor Code section 2699(1)(2).

4 2. This action is dismissed with prejudice as to Plaintiff, and without prejudice as to other
5 purported “aggrieved employees,” to the extent any such individuals exist.

6 3. Plaintiff shall submit a copy of this Order to the LWDA within ten (10) days after its
7 entry.

8 **IT IS SO STIPULATED.**

9 DATED: June 23, 2022

AEGIS LAW FIRM, PC

10

11

12

Jessica Campbell
Alexander G.L. Davies
Attorneys for Plaintiff Nancy Saldana

13

14 DATED: June 23, 2022

15



16

Christian Keeney
Patricia A. Matias
Sarah Christenson
OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.
Attorneys for Defendant Horizon Personnel
Services, Inc.

17

18

19

20

21

22

23

24

25

26

27

28

1 **[PROPOSED] ORDER**

2 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

3 1. Good cause exists to approve the dismissal of the PAGA action for a mutual
4 release of associated costs pursuant to Labor Code section 2699(1)(2).

5 2. This action is dismissed with prejudice as to Plaintiff, and without prejudice as
6 to other purported "aggrieved employees," to the extent any such individuals exist.

7 3. Plaintiff shall submit a copy of this Order to the LWDA within ten (10) days
8 after its entry.

9 **IT IS SO ORDERED.**

10
11
12
13
14 Dated: 07/08/2022, 2022



15 *Kevin C. Brazile*
16 THE HONORABLE KEVIN C. BRAZILE
17 JUDGE OF THE SUPERIOR COURT
18 Kevin C. Brazile / Judge
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I, the undersigned, am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; am employed with Aegis Law Firm PC and my business address is 9811 Irvine Center Drive, Suite 100, Irvine, California 92618.

On June 23, 2022, I served the foregoing document entitled

• STIPULATION AND [PROPOSED] ORDER FOR DISMISSAL OF PAGA ACTION

on all the appearing and/or interested parties in this action by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope(s) addressed as follows:

Alfred J. Landegger
Roxana Verano
Marie Davis
Ida Mamedova
**LANDEGGER BARON LAW GROUP,
ALC**
15760 Ventura Blvd., Suite 1200
Encino, CA 91436
Telephone: 818.986.7561
Facsimile: 818.866.514
alfred@landeggeresq.com
roxana@landeggeresq.com
marie@landeggeresq.com
ida@landeggeresq.com

Christian Keeney
Patricia Matias
Blair Troy
Sarah Christenson
**OGLETREE, DEAKINS, NASH, SMOAK,
& STEWART, P.C.**
Park Tower, Fifteenth Floor
695 Town Center Drive
Costa Mesa, CA 92626
Telephone: 714.800.7900
Facsimile: 714.754.1298
Christian.keeney@ogletree.com
Patricia.matias@ogletree.com
Blair.troy@ogletree.com
sarah.christenson@ogletree.com

Attorneys for Defendant:
SPECIAL DISPATCH OF CALIFORNIA,
INC.

Attorneys for Defendant:
HORIZON PERSONNEL SERVICES, INC.

☐ **(BY MAIL)** I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Irvine, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one day after date of deposit for mailing this affidavit. (*Cal Code Civ. Proc. § 1013(a); Fed. R. Civ. Proc. 5(a); Fed. R. Civ. Proc. 5(c).*)

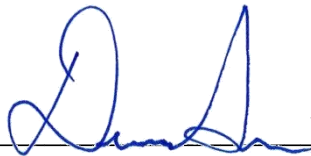
☐ **(BY OVERNIGHT MAIL)** I am personally and readily familiar with the business practice of Aegis Law Firm PC for collection and processing correspondence for overnight delivery, and I caused such document(s) described herein to be deposited for delivery to a facility regularly maintained Federal Express for overnight delivery. (*Cal Code Civ. Proc. § 1013(c); Fed. R. Civ. Proc. 5(c).*)

☒ **(BY ELECTRONIC TRANSMISSION)** I caused said document(s) to be served via electronic transmission via the above listed email addresses on the date below. (*Cal. Code Civ. Proc. § 1010.6(6); Fed. R. Civ. Proc. 5(b)(2)(E); Fed. R. Civ. Proc. 5(b)(3).*)

///

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

3 Executed on June 23, 2022, at Irvine, California.

4 
5 _____
6 Delaney Graves
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28