

JEFFREY S. SLOAN, ESQ. (SBN 154487)
KATHLEEN M. PRATT, ESQ. (SBN 146232)
MEGAN M. LEWIS, ESQ. (SBN 246052)
WORKPLACE LEGAL,
A PROFESSIONAL LAW CORPORATION
7755 Center Ave., 11th Floor
Huntington Beach, CA 92647
Telephone: (714) 908-4247
Facsimile: (714) 592-1577
Email: jsloan@workplacelegalpc.com
Email: kpratt@workplacelegalpc.com
Email: mlewis@workplacelegalpc.com

Attorneys for Plaintiff
DENA PALMER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE CITY AND COUNTY OF LOS ANGELES
UNLIMITED JURISDICTION

DENA PALMER, an individual

Plaintiff,

v.

ETAIL PET, INC., a Delaware corporation,
BERENICE GIANNINI, an individual, and
DOES 1 through 20, inclusive,

Defendants.

Case No. 20STCV29415

**NOTICE OF MOTION AND MOTION
SEEKING COURT APPROVAL OF
PAGA SETTLEMENT**

Date: April 23, 2021
Time: 8:30 a.m.
Department: 32

Before the Honorable Daniel S. Murphy

Reservation No. 176742073468

TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on April 23, 2021 at 8:30 a.m. in Department 32 of the above-entitled Court, located at Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012, Plaintiff Dena Palmer (hereinafter "Plaintiff") will and hereby does move the Court for an order

1 approving settlement of Plaintiff’s claim for civil penalties under California’s Private Attorneys’
2 General Act (“PAGA”), codified at California Labor Code §2698 *et seq.*, against all Defendants in the
3 above-entitled action (the “Motion”). Defendants have informed Plaintiff’s counsel that they will not
4 oppose this Motion.

5
6 The basis for this Motion is that the parties have reached global settlement of all of Plaintiff’s
7 individual claims against Defendants (including Plaintiff’s individual PAGA claim), and this settlement
8 will effectively resolve the entire action. However, pursuant to the PAGA statute, settlement of any
9 PAGA claim requires Court approval. Cal. Lab. Code §2699(1). Thus, Plaintiff is seeking Court
10 approval of the PAGA aspect of the settlement so that this action may be dismissed in its entirety – **with**
11 **prejudice** as to Plaintiff and all of her individual claims, and **without** prejudice as to any other
12 “aggrieved employee.”

13
14 This Motion is based upon this Notice of Motion and Motion, the attached Declaration of
15 Kathleen M. Pratt, Esq. in support of this Motion (and all attachments and exhibits thereto), the attached
16 Memorandum of Points and Authorities in support of this Motion, the attached Statement of Non-
17 Opposition by Defendants eTail Pet, Inc. and Berenice Giannini, all records on file with this Court, and
18 any argument that is presented at the time of hearing.

19 On March __, 2021, pursuant to California Labor Code §2699(1)(2), Plaintiff’s counsel submitted
20 electronically to the California Labor and Workforce Development Agency (“LWDA” the proposed
21 settlement that is the subject of this Motion. Plaintiff’s counsel did not receive any communication from
22

23 //

24 //

25 //

1 the LWDA in response as of the date of filing this Notice of Motion.

2 Dated: March 31, 2021

WORKPLACE LEGAL,
A PROFESSIONAL LAW CORPORATION



6 By: _____

Kathleen M. Pratt, Esq.

ATTORNEYS FOR PLAINTIFF
DENA PALMER



Make a Reservation

DENA PALMER vs BERENICE GIANNINI, et al.

Case Number: 20STCV29415 Case Type: Civil Unlimited Category: Wrongful Termination

Date Filed: 2020-08-04 Location: Stanley Mosk Courthouse - Department 32

Reservation

Case Name: DENA PALMER vs BERENICE GIANNINI, et al.	Case Number: 20STCV29415
Type: Motion to Confirm Settlement	Status: RESERVED
Filing Party: Dena Palmer (Plaintiff)	Location: Stanley Mosk Courthouse - Department 32
Date/Time: 04/23/2021 8:30 AM	Number of Motions: 1
Reservation ID: 176742073468	Confirmation Code: CR-7GI6T84CGKZZ5UPH4

Fees

Description	Fee	Qty	Amount
Motion to Confirm Settlement	60.00	1	60.00
Credit Card Percentage Fee (2.75%)	1.65	1	1.65
TOTAL			\$61.65

Payment

Amount: \$61.65	Type: Visa
Account Number: XXXX3325	Authorization: 02108G

Print Receipt

Reserve Another Hearing

View My Reservations