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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES-CENTRAL DISTRICT
SPRING STREET COURTHOUSE

GERARDO BENITEZ, as an individual and on behalf of all similarly situated employees,

Plaintiff.

v.

CALIFORNIA COMBINING CORPORATION; and DOES 1 through 50, inclusive,

Defendant(s).

Case No.: 20STCV24786

[PROPOSED] ORDER GRANTING PLAINTIFF'S REQUEST FOR DISMISSAL OF CLASS AND PRIVATE ATTORNEYS GENERAL ACT OF 2004 CLAIMS WITHOUT PREJUDICE SO THAT ONLY HIS INDIVIDUAL CLAIMS REMAIN IN THIS ACTION

Assigned to for all purposes:
Hon. Maren Nelson, Dept. 17

Action Filed: June 26, 2020
Trial Date: Not Set

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[PROPOSED] ORDER GRANTING PLAINTIFF'S REQUEST FOR DISMISSAL OF CLASS AND PRIVATE ATTORNEYS GENERAL ACT OF 2004 CLAIMS WITHOUT PREJUDICE SO THAT ONLY HIS INDIVIDUAL CLAIMS REMAIN IN THIS ACTION

[PROPOSED] ORDER

Upon consideration of Plaintiff GERARDO BENITEZ's ("Plaintiff") Request for Dismissal of Class and Private Attorneys General Act of 2004 ("PAGA") claims Without Prejudice, and good cause being shown pursuant to California Rules of Court, rule 3.770(a):

The Court grants Plaintiff's request for dismissal of Class ^{claims only} and PAGA ^{and PAGA representative} claims without prejudice against Defendant CALIFORNIA COMBINING CORPORATION in the above-captioned class action, so that only his individual claims ^{private class} remain in this Action pursuant to California Rules of Court, rule 3.770. Plaintiff's only remaining claims in this case are his individual claims for violations of Labor Code of California ^{and the PAGA representative} provided in the above-captioned ^{claim} action. No hearing regarding the dismissal and no notice of dismissal to the putative class members is required.

Dismissal of PAGA claim requires notice and opportunity for CWD to object.
IT IS SO ORDERED. Labor Code 229.95(l)(2).

Dated: 11/6/2020

Maren E. Nelson
HONORABLE MAREN NELSON
JUDGE OF THE SUPERIOR COURT

Trial setting conference and for due status conference set for 3/10/2021 at 9:00 a.m. M