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4 Attorneys for Plaintiff
5 MARIA VICTORIA PALERIA

6
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 IN AND FOR THE COUNTY OF SOLANO
9

10 MARIA VICTORIA PALERIA,

11 Plaintiff,

12 v.

13 THE CAREWELL COMPANY;
ROBERT COLEMAN, an individual;
14 MARIE COLEMAN, an individual; and
DOES 1 TO 100;

15 Defendants.
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*Assigned to Hon. Christine Carringer for all
Purposes*

Case No. FCS055454

**STIPULATION AND [PROPOSED] ORDER
DISMISSING CLAIMS BROUGHT
PURSUANT TO THE PRIVATE
ATTORNEYS GENERAL ACT OF 2004,
WITHOUT PREJUDICE**

Complaint Filed: October 1, 2020
Trial: Not Set

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20 TO ALL INTERESTED PARTIES AND THEIR RESPECTIVE ATTORNEYS OF
21 RECORD:

22 IT IS HEREBY STIPULATED by and between Plaintiff, MARIA VICTORIA PALERIA
23 (“Plaintiff”) and Defendants THE CAREWELL COMPANY; ROBERT COLEMAN, and MARIE
24 COLEMAN (“Defendants,” and collectively, the “Parties”), as follows:

25 WHEREAS, on October 1, 2020, Plaintiff filed a Complaint alleging a cause of action for
26 violations under the Private Attorneys General Act (“PAGA;” Labor Code §2698 et seq.).

27 WHEREAS, the Parties engaged in a half-day mediation with Hon. Richard Gilbert, and
28 formal discovery (including taking Defendant Marie Coleman’s deposition) wherein Plaintiff’s

1 counsel reviewed Plaintiff's payroll and time records, policies and practices, and was provided
2 information about Defendants' regarding their financial state.

3 WHEREAS, based on the review of such documents and information, Plaintiff and Plaintiff's
4 counsel, Allan A. Villanueva, believe it is better to proceed in the case on an individual basis and to
5 dismiss the PAGA claims without prejudice, thereby avoiding any prejudice to potentially aggrieved
6 employees.

7 WHEREAS, Plaintiff has not received any monies for dismissing the PAGA claims as they
8 are not being compromised and are being dismissed without prejudice.

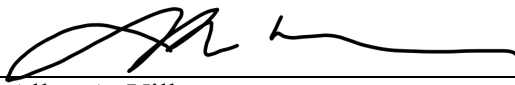
9 WHEREAS, the Parties have resolved Plaintiff's individual claims subject to the approval of
10 this STIPULATION AND [PROPOSED] ORDER DISMISSING CLAIMS BROUGHT
11 PURSUANT TO THE PRIVATE ATTORNEYS GENERAL ACT OF 2004, WITHOUT
12 PREJUDICE.

13 THEREFORE, pursuant to Labor Code §2699(l), the Parties seek approval of this
14 STIPULATION AND [PROPOSED] ORDER DISMISSING CLAIMS BROUGHT PURSUANT
15 TO THE PRIVATE ATTORNEYS GENERAL ACT OF 2004, WITHOUT PREJUDICE.

16 IT IS SO STIPULATED.

17 DATED: August 20, 2021

Law Office of Allan A. Villanueva

19 By: 

20 Allan A. Villanueva
21 Attorney for Plaintiff
22 MARIA PALERIA

23 DATED: August 20, 2021

DUGGAN McHUGH LAW CORPORATION

24 By: 

25 Jennifer E. Duggan
26 Christina Bucci Hamilton
27 Attorney for Defendants
28 THE CAREWELL COMPANY; ROBERT COLEMAN,
and MARIE COLEMAN

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[PROPOSED] ORDER

The Court, having reviewed the above stipulation of the parties, and good cause appearing, orders that the Parties' STIPULATION DISMISSING CLAIMS BROUGHT PURSUANT TO THE PRIVATE ATTORNEYS GENERAL ACT OF 2004, WITHOUT PREJUDICE is APPROVED.
IT IS SO ORDERED.

DATED: August __, 2021

Honorable Christine Carringer
Judge, Solano County Superior Court