

David R. Greifinger, Esq. (SBN 105242)
LAW OFFICES OF DAVID R. GREIFINGER
15515 W. Sunset Boulevard, Unit 214
Pacific Palisades, California 90272
Telephone: (424) 330-0193
Facsimile: (831) 920-4864
tracklaw@me.com

Attorneys for Plaintiff,
CYNTHIA INGALLS

FILED
Superior Court of California
County of Los Angeles
06/01/2021
Sherri R. Carter, Executive Officer / Clerk of Court
By: A. Escobar Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CYNTHIA INGALLS, an individual, and
on behalf of all aggrieved employees

Plaintiff,

vs.

ROGER H. SCHUSTER, D.D.S., INC., a
California corporation; ROGER H.
SCHUSTER, an individual; and DOES 1
through 50 inclusive

Defendants.

Case No. 20STCV35755

Hon. Jon R. Takasugi

~~{PROPOSED}~~ JUDGMENT

Date: June 1, 2021

Time: 10:00 a.m.

Dept.: 17

RES ID: 461598308110

Complaint filed: September 18, 2020
Trial Date: None Set

JUDGMENT

Pursuant to the Order Approving the Parties' Joint Stipulation of PAGA Representative Action Settlement (the "Order"), it is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

1. Judgment in this matter is entered in accordance with the terms of the Order and the Parties' PAGA Settlement Agreement. Unless otherwise provided, all capitalized terms used herein shall have the same meaning as those defined by the Parties' PAGA Settlement Agreement.

2. This Judgment shall be binding on all Aggrieved Employees and the State of California, who are hereby barred by the doctrine of res judicata from re-litigating the Released Claims, as that term is defined by the PAGA Settlement Agreement. (*Arias v. Superior Court* (2009) 46 Cal.4th 969, 986 (2009) ["Because collateral estoppel applies not only against a party to the prior action in which the issue was determined, but also against those for whom the party acted as an agent or proxy [citations], a judgment in an employee's action under [PAGA] binds not only that employee but also the state labor law enforcement agencies."]).

3. Without affecting the finality of the Judgment, the Court shall retain exclusive and continuing jurisdiction over the above-captioned action and the Parties for purposes of enforcing the terms of the Judgment and the PAGA Settlement Agreement pursuant to Code of Civil Procedure section 664.6.

4. Neither this Judgment, the Order, the PAGA Settlement Agreement, any document referred to herein, any exhibit to any document referred to herein, any action taken to carry out the settlement, nor any negotiations or proceedings related to the settlement are to be construed as, or deemed to be evidence of, or an admission or concession with regard to, the denials or defenses of Defendants ROGER H. SCHUSTER, D.D.S., INC., or ROGER H. SCHUSTER ("Defendants") or any other settling party, and shall not be offered in evidence in any proceeding against the Parties hereto in any court, administrative agency, or other tribunal for any purpose whatsoever other than to enforce the provisions of the Order and Judgment.

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IT IS SO ORDERED, ADJUDGED, AND DECREED.

Date 06/01/2021

 

Hon. Jon R. Takasugi
Los Angeles County Superior Court Judge
Jon R. Takasugi / Judge

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the State of California, County of Los Angeles. I am over the age of 18
4 and not a party to the within lawsuit; my business address is 15515 W. Sunset Boulevard,
Unit 214, Pacific Palisades, CA 90272.

5 On **May 6, 2021** I served the foregoing document described as **[PROPOSED]**
6 **JUDGMENT** on the interested parties in this action by placing **[X]** a true copy thereof on:

7 Anita York, Esq.
8 Nancy Rader Whitehead
9 SCOTT & WHITEHEAD
4675 MacArthur Court, Suite 1240
Newport Beach, CA 92660
anita@employerlaw.com
nwhitehead@employerlaw.com

- 10 **[X]** (BY MAIL): as follows: I deposited the envelopes for mailing in the ordinary
11 course of business at Los Angeles County, California. I am "readily familiar" with
12 this firm's practice of collection and processing correspondence for mailing. Under
that practice, the sealed envelopes are deposited with the U.S. Postal Service that
13 same day in the ordinary course of business, with postage thereon fully prepaid at
Los Angeles County, California.
- 14 **[]** (BY OVERNIGHT DELIVERY): as follows: I am "readily familiar" with this
15 firm's practice of collection and processing correspondence for overnight delivery.
Under that practice, overnight packages are enclosed in a sealed envelope with a
packing slip attached thereto fully prepaid. The packages are picked up by the
carrier at our offices or delivered by our office to a designated collection site.
- 16 **[X]** BY E-MAIL: I hereby certify that this document was served from Los Angeles
17 County, California, by e-mail delivery on the parties listed herein at their most
recent known e-mail address or e-mail of record in this action.

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

20 Executed on **May 6, 2021** at Los Angeles County, California.

21
22 Calvin A. Marshall, Esq.
23 Type or Print Name

24 
25 Signature