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Attorneys for Plaintiff Atlas Vargas

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF VENTURA

Atlas Vargas, an individual, on behalf of
himself and on behalf of all persons similarly
situated,

Plaintiff,

v.

SKYSKOPES, INC., a Delaware Corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 56-2020-00544196-CU-OE-VTA

Assigned for all Purposes to the Hon. Judge
Mark Borrell (Dept. 40)

Motion Reservation #: 2562304

**NOTICE OF MOTION AND MOTION FOR
APPROVAL OF PRIVATE ATTORNEYS
GENERAL ACT (PAGA) SETTLEMENT
AND DISMISSAL OF CLASS CLAIMS
WITHOUT PREJUDICE**

Hearing Date: May 27, 2021
Hearing Time: 8:30 a.m.
Location: Dept. 40

Complaint Filed: August 11, 2020
FAC Filed: October 15, 2020
Trial Date: None Set

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 **YOU ARE HEREBY NOTIFIED THAT** at 8:30 a.m. on May 27, 2021, or as soon
3 thereafter as the matter can be heard, in Department 40 of the above-entitled Court, before the
4 Honorable Mark Borrell, Plaintiff Atlas Vargas (“Plaintiff”) will and hereby does move for an
5 order approving the settlement of the PAGA claim alleged against Defendant SKYSKOPES, INC.
6 (“Defendant”) in accordance with California Labor Code Section 2699(l) and for dismissal *without*
7 *prejudice* of all causes of action brought by Plaintiff on behalf of all persons similarly situated (the
8 “Class Claims”). The proposed settlement is set forth in the accompanying Settlement and Release
9 (“Settlement,” “Agreement,” or “Settlement Agreement”).

10 This Motion will be based on this Notice, the accompanying Memorandum of Points and
11 Authorities, the Declarations of Alexander I. Dychter, S. Adam Spiewak, Walter L. Haines, and
12 Atlas Vargas, and the complete files and records in this action. The California Labor Workforce
13 Development Agency (“LWDA”) has been served with this Motion, supporting papers, and the
14 Settlement Agreement, in compliance with Labor Code Section 2699(l)(2).

15 Respectfully submitted,

16
17 Dated: May 5, 2021

Dychter Law Offices, APC
United Employees Law Group, PC

18
19 By 
20 Alexander I. Dychter
21 Attorney for Plaintiff Atlas Vargas,
22 individually and on behalf of all other
23 similarly aggrieved employees
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1 Atlas Vargas v. SkySkopes, Inc.
2 Superior Court of California, County of Ventura
(Case No. 56-2020-00544196-CU-OE-VTA)

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4 **PROOF OF SERVICE**

5 **STATE OF CALIFORNIA, COUNTY OF VENTURA**

6 I, the undersigned, am over the age of 18 years and not a party to this action. My
7 business address is 180 Broadway, Suite 1835, San Diego, California 92101.

8 On the date of execution hereof, I caused to be served the following attached documents:

- 9 1. **NOTICE OF MOTION AND MOTION FOR APPROVAL OF PRIVATE**
10 **ATTORNEYS GENERAL ACT (PAGA) SETTLEMENT AND DISMISSAL OF**
11 **CLASS CLAIMS WITHOUT PREJUDICE**
12 2. **POINTS AND AUTHORITIES ISO;**
13 3. **DECLARATIONS OF: ALEXANDER I. DYCHTER, S. ADAM SPIEWAK, WALTER**
14 **L. HAINES, ATLAS VARGAS ISO;**
15 4. **[proposed] ORDER;**

16 on the interested parties in this action, addressed as follows:

17 **Defendant SkySkopes, Inc.:**
18 LAGASSE BRANCH BELL + KINKEAD LLP
Mr. Christopher Cianci, Esq.
626 Wilshire Blvd., Ste. 1000
Los Angeles, CA 90017
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19 Using the following service method(s):

20 **[XX] BY ELECTRONIC MAIL SERVICE:** Based on an agreement between the parties in
21 this action, plaintiff hereby serves the above listed document(s) via e-mail only to the e-
22 mail addresses as listed above. The transmission was reported as complete and without
error. My electronic notification address is: Alex@DychterLaw.com

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

25 Executed on May 5, 2021, at San Diego, California.

26
27 
28 Alexander I. Dychter