

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Stanley Mosk Courthouse, Department 47

20STCV45821

June 10, 2022

**DONIS ESTRADA vs CALI-FAME OF LOS ANGELES, INC.,
A CALIFORNIA CORPORATION, et al.**

3:33 PM

Judge: Honorable Theresa M. Traber
Judicial Assistant: I. Flores
Courtroom Assistant: None

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

**NATURE OF PROCEEDINGS:
COURT ORDER:**

The Court issues the following order:

Before the Court is Plaintiff Donis Estrada's request to dismiss the pending claim for civil penalties under the Private Attorney General Act, Labor Code § 2698, et seq. (PAGA), without prejudice, in connection with the proposed settlement of his individual claims.

The Court vacates the dismissal entered on May 18, 2022, as improvidently granted because a dismissal of a PAGA claim, like a settlement or any other disposition of such a cause of action, must be approved by the Court.

The Court directs Plaintiff to give notice of his request to dismiss the pending PAGA claim without prejudice to the California Labor & Workforce Development Agency (LWDA) by JUNE 24, 2022 by providing the LWDA with Plaintiff's complaint in this action, the parties' proposed settlement agreement, and this minute order.

The LWDA shall have until JULY 25, 2022 to move to intervene in this action or take any other steps it chooses to take to continue litigating the PAGA claims asserted by Plaintiff in this action. If the LWDA requires additional time to act, it may ask to extend the time by stipulation of the parties or by ex parte application submitted to the Court.

The Court also orders the parties to file by JULY 25, 2022 a redacted version of their settlement agreement or the portion thereof that sets forth any and all releases to be executed by Plaintiff in connection with the settlement. The Court directs this submission to permit an evaluation of

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whether any aspect of Plaintiff's release can be read as impinging on the ability of the LWDA and/or other aggrieved parties to litigate the PAGA claim that Plaintiff seeks to dismiss without prejudice.

The Court sets the OSC for hearing on August 10, 2022, at 8:30 a.m. to permit review and consideration of any submissions made by the LWDA or the parties pursuant to this Order.

Order to Show Cause Re: to permit review and consideration of any submissions made by the LWDA or the parties pursuant to Court's June 10, 2022 order is scheduled for 08/10/2022 at 08:30 AM in Department 47 at Stanley Mosk Courthouse.

On the Court's own motion, the Order to Show Cause Re: Dismissal (Settlement) scheduled for 06/15/2022 is advanced to this date and continued to 08/10/2022 at 08:30 AM in Department 47 at Stanley Mosk Courthouse.

The clerk gives notice to all counsel of record.

In addition to notice by mail, the clerk on this date gives notice by email to the following addresses: diana.estrada@wilsonelser.com [attorney Diana M. Estrada] and pchami@chamilaw.com [attorney Pouya Chami].

Certificate of Mailing is attached.