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Attorneys for Plaintiff Aaron Machi, on behalf
of himself, the aggrieved employees, and the
State of California

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF IMPERIAL**

AARON MACHI, on behalf of himself, the
aggrieved employees, and the State of California,

Plaintiff,

v.

PREMIUM RETAIL SERVICES, INC., a
Missouri corporation, DOES 1-50, inclusive,

Defendants.

Case No.: ECU001754
Action Filed: February 5, 2021
Trial Date: Not Yet Set
Department: 7

**STIPULATION TO DISMISS ACTION
WITHOUT PREJUDICE; ~~PROPOSED~~
ORDER APPROVING STIPULATION**

Assigned to the Honorable Jeffrey B. Jones for all
purposes

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FILED

07/09/2021

SUPERIOR COURT
COUNTY OF IMPERIAL
CLERK OF THE COURT
BY Angela Jantz, DEPUTY

1 Plaintiff AARON MACHI, on behalf of himself, the aggrieved employees, and the State of
2 California ("Plaintiff") and Defendant PREMIUM RETAIL SERVICES, INC. ("Defendant")
3 (collectively, the "Parties"), by and through their respective counsel of record, hereby submit the
4 instant joint stipulation to dismiss Plaintiff's complaint and the California Private Attorneys
5 General Act ("PAGA") claim asserted therein without prejudice;

6 WHEREAS, Plaintiff filed his single-count PAGA complaint in this case on or about
7 February 5, 2021, and subsequently filed a first amended PAGA complaint on or about April 12,
8 2021;

9 WHEREAS, the Parties have entered into a Settlement Agreement and Mutual Release of
10 All Claims ("Agreement");

11 WHEREAS, the Agreement provides for a mutual general release of all claims that Plaintiff
12 and Defendant may have against each other, and further provides that Plaintiff's PAGA claim shall
13 be dismissed without prejudice; and

14 WHEREAS, the dismissal of Plaintiff's PAGA claim will be without prejudice, and
15 therefore will not affect the rights of the State of California or any of Defendant's other employees;

16 NOW THEREFORE, the Parties hereby stipulate and request that Plaintiff's complaint and
17 the PAGA claim asserted therein be dismissed without prejudice.

18 Dated: July 1, 2021

19 LYON LEGAL, P.C.
20 LAW OFFICE OF SHAFIEL A. KARIM, P.C.

21 

22 Devon M. Lyon
23 Shafiel A. Karim

24 Attorneys for Plaintiff Aaron Machi, on behalf of
25 himself, the aggrieved employees, and the State
26 of California
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28

1 Dated: July 2, 2021

PAUL, PLEVIN, SULLIVAN &
CONNAUGHTON LLP

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4 Aaron A. Buckley

Paul Batcher

5 Matthew N. Mushamel

6 Attorneys for Defendant Premium Retail
7 Services, Inc.

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PROPOSED ORDER

Good cause appearing, it is **ORDERED** as follows:

1. Plaintiff's complaint and the PAGA claim asserted therein is **DISMISSED**
WITHOUT PREJUDICE.

IT IS SO ORDERED.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF IMPERIAL



Dated: 07/09/2021

Honorable Jeffrey B. Jones
Superior Court Judge

1 **PROOF OF SERVICE**

2 **RE: MACHI v. PREMIUM RETAIL SERVICES, INC.**
3 **(Case No. ECU001754)**

4 I am a citizen of the United States and employed in the County of Los Angeles, State of
5 California. I am over eighteen (18) years of age and not a party to the above-entitled action. My
6 business address is LYON LEGAL 2698 Junipero Ave., Suite 201A, Signal Hill, CA 90755.

7 On **July 6, 2021**, I served the foregoing document(s) described as:

- 8
- 9 • **STIPULATION TO DISMISS ACTION WITHOUT PREJUDICE;
[PROPOSED] ORDER APPROVING STIPULATION**

10 on the interested parties by placing a true and correct copy thereof in a sealed envelope(s)
11 addressed as follows:

12 **SEE ATTACHED PROOF OF SERVICE LIST**

13 **VIA OVERNIGHT MAIL:**

- 14 ☐ by placing the above-listed document(s) in a sealed Federal Express envelope and affixing a
15 prepaid airbill and causing the envelope to be delivered to a Federal Express agent for
16 overnight delivery to the address(es) listed below.

17 **VIA U.S. MAIL:**

- 18 ☐ by placing the above-listed document(s) in a sealed envelope with postage prepaid in the
19 United States mail at Signal Hill, California to the address(es) listed below.

20 **VIA PERSONAL DELIVERY:**

- 21 ☐ by personally delivering the above-listed document(s) to the person(s) at the address(es)
22 listed below pursuant to CCP § 1011.

23 **VIA ELECTRONIC MAIL:**

- 24 ☒ I personally delivered such documents via electronic mail to the email address(es) listed
25 below.

26 I declare under penalty of perjury under the laws of the United States that the above is true
27 and correct.

28 Executed on **July 6, 2021**, at Signal Hill, California.

/s/Marisa Acedo
MARISA ACEDO

PROOF OF SERVICE LIST

Poline A. Pourmorady, Esq. ppourmorady@paulplevin.com PAUL, PLEVIN, SULLIVAN & CONNAUGHTON LLP 101 West Broadway, Ninth Floor San Diego, CA 92101 (619) 237-5200 – Telephone (619) 237-5200 – Facsimile Attorney for Defendant, PREMIUM RETAIL SERVICES, INC.	
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