

Michelle B. Baker, Esq. (SBN 199130)
BAKER LAW GROUP, LLP
10945 Vista Sorrento Pkwy., Suite 100
San Diego, California 92130
Telephone: (858) 452-0093
E-Mail: michelle@bakerllp.com

Attorney for Plaintiff Milan Jezdic-Miletic

MORGAN, LEWIS & BOCKIUS LLP
Kathy H. Gao, Bar No. 259019
kathy.gao@morganlewis.com
300 South Grand Avenue
Twenty-Second Floor
Los Angeles, CA 90071-3132
Tel: +1.213.612.2500
Fax: +1.213.612.2501

MORGAN, LEWIS & BOCKIUS LLP
Claire M. Lesikar, Bar No. 311180
claire.lesikar@morganlewis.com
1400 Page Mill Road
Palo Alto, CA 94304
Tel: +1.650.843.4000
Fax: +1.650.843.4001

Attorneys for Defendant
BIMBO BAKERIES USA, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO – NORTH COUNTY

MILAN JEZDIC-MILETIC, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

BIMBO BAKERIES USA, INC.; a Delaware
corporation and DOES 1 through 50, inclusive,

Defendants.

Case No. 37-2020-00045819-CU-OE-NC

Hon. Blaine K. Bowman

**JOINT STIPULATION FOR COURT
APPROVAL OF SETTLEMENT OF
ACTION FILED PURSUANT TO
PAGA; ~~[PROPOSED]~~ ORDER**

Dept: N-31

1 This Joint Stipulation is made by and between Plaintiff Milan Jezdic-Miletic (“Plaintiff”)
2 and Defendant Bimbo Bakeries USA, Inc. (“Defendant”) (Plaintiff and Defendant hereinafter
3 collectively referred to as the “Parties”), by and through their respective undersigned counsel of
4 record, based upon the following facts establishing good cause for court approval of the
5 settlement of Plaintiff’s action filed pursuant to the California Private Attorneys General Act
6 (“PAGA”):

7 WHEREAS, Plaintiff filed the Complaint in this action on December 10, 2020 alleging,
8 *inter alia*, a PAGA claim;

9 WHEREAS, Plaintiff filed the First Amended Complaint (“FAC”) in this action on
10 January 19, 2021 also alleging, *inter alia*, a PAGA claim;

11 WHEREAS, on or about September 7, 2021, the Court stayed the PAGA claim pending
12 resolution of the *Patrick Farley v. Bimbo Bakeries USA, Inc. et al.* matter;

13 WHEREAS, the Parties have agreed to resolve this action on an individual basis;

14 WHEREAS, PAGA requires court approval of any settlement of a civil action filed
15 pursuant to PAGA (*see* Cal. Lab. Code § 2699(1)(2));

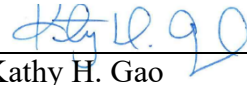
16 WHEREAS, the Parties’ confidential settlement agreement provides, *inter alia*, that:

- 17 • Plaintiff will dismiss the PAGA claim (Sixth Cause of Action) with prejudice as to
18 himself and without prejudice as to any other current or former allegedly
19 aggrieved persons;
- 20 • Plaintiff will dismiss the remaining causes of action with prejudice in exchange for
21 a confidential settlement payment;
- 22 • No PAGA penalties are being paid to the California Labor and Workforce
23 Development Agency (“LWDA”) or to Plaintiff as part of the Parties’ settlement
24 of this action;
- 25 • Plaintiff’s release of his PAGA claim against Defendant applies only to Plaintiff,
26 and does not bar any other current or former allegedly aggrieved persons from
27 prosecuting another representative action against Defendant or from seeking to
28 recover civil penalties in such an action; and

1 Dated: March 25, 2022

MORGAN, LEWIS & BOCKIUS LLP

2 By


Kathy H. Gao
Claire M. Lesikar
Attorneys for Defendants
BIMBO BAKERIES USA, INC.

3
4
5
6 **~~PROPOSED~~ ORDER**

7 This Court, having considered the Parties' Joint Stipulation for Court Approval of
8 Settlement of Action Filed Pursuant to PAGA, and good cause appearing, hereby GRANTS the
9 Parties' Joint Stipulation as follows:

- 10 1. The Parties' settlement of this action is approved including Plaintiff's full and
11 general release of claims against Defendant;
12 2. This action is hereby dismissed in its entirety: (i) with prejudice as to Plaintiff's
13 individual claims and PAGA claim; and (ii) without prejudice as to the claims of
14 any other current or former allegedly aggrieved person(s); and
15 3. The Court will retain jurisdiction pursuant to *C.C.P. section 664.6* to, upon motion,
16 set aside the dismissal and enter judgment upon the terms of the Agreement

17
18 **IT IS SO ORDERED.**

19 Dated: 04/15/2022
20


Hon. Blaine K. Bowman
Judge of the Superior Court

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

On April 6, 2022, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

in a sealed envelope, postage fully paid, addressed as follows:

Attorneys for Plaintiff Milan Jezdic-Miletic

Executed on April 6, 2022, at Los Angeles, California.

Lucy Matar

Lucy Mata