

1 DANIEL F. GAINES, ESQ. SBN 251488
 daniel@gaineslawfirm.com
 2 ALEX P. KATOFISKY, ESQ. SBN 202754
 alex@gaineslawfirm.com
 3 EVAN S. GAINES, ESQ. SBN 287668
 evan@gaineslawfirm.com
 4 **GAINES & GAINES, APLC**
 27200 Agoura Rd., Suite 101
 5 Calabasas, CA 91301
 Telephone: (818) 703-8985
 6 Facsimile: (818) 703-8984

Superior Court of California
 County of Butte
 07/08/2021
 Kimberly Fleener, Clerk
 By  Deputy
 Electronically FILED

7 Attorneys for Plaintiff Elsa Castellanos on behalf of herself and all "aggrieved employees"
 8 pursuant to Labor Code § 2698 *et seq.*

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 10 **FOR THE COUNTY OF BUTTE**

11 ELSA CASTELLANOS, on behalf of
 12 herself and all "aggrieved employees"
 13 pursuant to Labor Code § 2698 *et seq.*,

14 Plaintiffs,

15 v.

16 AMPLA HEALTH, a California
 corporation, and DOES 1 through 10,
 17 inclusive,

18 Defendants.

Case No. 21CV01531

Assigned to the Hon. Stephen E. Benson, Dept. 6

**STIPULATION AND [PROPOSED] ORDER
 APPROVING SETTLEMENT OF PRIVATE
 ATTORNEYS GENERAL ACT CLAIMS,
 AND DISMISSING ACTION WITH
 PREJUDICE**

Action Filed: June 15, 2021

Trial Date: None Set

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STIPULATION

IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. On November 5, 2020, Plaintiff complied with the requirements set forth in Labor Code § 2698 *et seq.*, the Labor Code Private Attorneys General Act (hereinafter, "PAGA") by sending a letter, by online submission to the Labor and Workforce Development Agency ("LWDA") and by certified mail to Defendant, setting forth the facts and theories of the violations alleged against Defendant. (Declaration of Daniel F. Gaines ["Gaines Decl."] at ¶ 6; Exhibit "A" to Gaines Decl.).

2. Plaintiff filed her Representative Action Complaint on June 15, 2021, seeking penalties pursuant to Labor Code § 2699(f) for violations of Labor Code §§ 201, 202, 226(a), 226.3, 226.7, 512, 558, and 2802. (Gaines Decl. at ¶ 7).

3. After Plaintiff provided notice through the LWDA letter and provided an unfiled complaint to Defense counsel, Defendant provided requested discovery informally to Plaintiff's counsel to ascertain the size of the aggrieved employee group, the number of affected pay periods at issue among them, and the strength of Plaintiff's claims. (Gaines Decl. at ¶ 8).

4. Being fully apprised of the value and strength of Plaintiff's claims, the parties participated in a mediation with David Perrault, Esq. on May 21, 2021 in an attempt to resolve the claims asserted in the Action. (Gaines Decl. at ¶ 9).

5. The parties engaged in arm's-length negotiations and reached a resolution of the PAGA claims asserted in the action. Based on the information and documents obtained through informal discovery and during mediation, Plaintiff assessed the maximum value of the PAGA claims (without stacking) to be approximately \$409,700 (at the rate of a \$100 penalty for 4,097 pay periods at issue for approximately 560 aggrieved employees during the applicable time frame). (Gaines Decl. at ¶ 10).

6. The amount of the settlement is \$325,000 which represents over 79% of the maximum recoverable discretionary penalties and includes an apportionment of attorneys' fees and costs and a general release payment to Plaintiff Castellanos. (Gaines Decl. at ¶ 11).

1 7. The settlement amount represents a fair compromise of the claims. (Gaines Decl. at
2 ¶ 12).

3 8. Based on their extensive experience litigating over 100 representative actions,
4 counsel for Plaintiff believes the settlement here is fair and reasonable and warrants approval by
5 the Court. (Gaines Decl. at ¶¶ 2-5; Exhibit "B" to Gaines Decl.).

6 9. The parties request that the Court enter the accompanying order, approving their
7 settlement (attached to the Gaines Declaration as Exhibit "C"), as permitted by Labor Code §
8 2699(1), and dismissing this Action with prejudice. (Gaines Decl. at ¶ 13).

9 **IT IS SO STIPULATED.**

10 Dated: June 30, 2021

11 For Plaintiff:

For Defendant:

12
13 GAINES & GAINES, APLC

GOODMAN LAW CORPORATION

14
15 By: Daniel F. Gaines
16 DANIEL F. GAINES

By: Karen M. Goodman
KAREN GOODMAN

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ORDER

The Court, having reviewed the parties' Private Attorneys General Act (Labor Code § 2698 et. seq.) Settlement Agreement (the "Settlement" or "Settlement Agreement") attached as Exhibit "C" to the concurrently-filed Declaration of Daniel F. Gaines, together with the Stipulation of the Parties and the Declaration of Daniel F. Gaines and exhibits attached thereto, hereby ORDERS:

1. The Court finds the Settlement was entered into in good faith, that the settlement is fair, reasonable and adequate, and that the settlement satisfies the standards and applicable requirements for approval of PAGA representative actions under California law.

2. The Court approves the penalties to be paid to the aggrieved employees and the State of California as set forth in the Settlement, pursuant to Labor Code § 2699(l). The Court further approves all payments to be made to Plaintiff's counsel and Plaintiff Castellanos based on the terms of the Settlement.

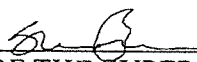
3. This Action is hereby DISMISSED WITH PREJUDICE.

4. Upon entry of this Order, the Parties shall effectuate all terms of the Settlement based on the provisions and timelines set forth in the Settlement Agreement.

5. This Court shall retain jurisdiction with respect to all matters related to the administration and consummation of the Settlement, including but not limited to all matters related to the settlement and the determination of all controversies relating thereto.

IT IS SO ORDERED.

Dated: July 8, 2021



JUDGE OF THE SUPERIOR COURT
STEPHEN E. BENSON

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PROOF OF SERVICE AND CERTIFICATION

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 27200 Agoura Road, Suite 101, Calabasas, CA 91301

____ (For messenger) my business address is:

On July 7, 2021, I served the foregoing document described **STIPULATION AND [PROPOSED] ORDER APPROVING SETTLEMENT OF PRIVATE ATTORNEYS GENERAL ACT CLAIMS, AND DISMISSING ACTION WITH PREJUDICE** on the interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

Karen Goodman, Esq.
GOODMAN LAW CORPORATION
3840 Watt Ave., Bldg A
Sacramento, CA 95821

 X (BY ☒ U.S. MAIL/ BY ☐ CERTIFIED MAIL, RETURN RECEIPT REQUESTED) The sealed envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with United States postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more that one day after date of deposit for mailing in affidavit.

____ (BY FEDERAL EXPRESS OR OTHER OVERNIGHT SERVICE) I deposited the sealed envelope in a box or other facility regularly maintained by the express service carrier or delivered the sealed envelope to an authorized carrier or driver authorized by the express carrier to receive documents.

____ (BY FACSIMILE TRANSMISSION) On _____, at _____, at Calabasas, California, I served the above-referenced document on the above-stated addressee by facsimile transmission pursuant to Rule 2008 of the California Rules of Court. The telephone number of the sending facsimile machine was (818)703-8984 and the telephone number(s) of the receiving facsimile machine was (916) 920-4402. A transmission report was properly issued by the sending facsimile machine, and the transmission was reported as complete and without error. Copies of the facsimile transmission cover sheet and the transmission report are attached to this proof of service.

____ (BY PERSONAL DELIVERY) By causing a true copy of the within document(s) to be personally hand-delivered to the office(s) of the addressee(s) set forth above, on the date set forth above.

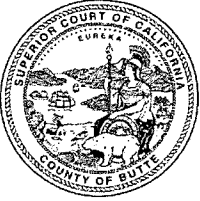
____ (BY ELECTRONIC SERVICE) The above-stated document was submitted for service by electronic transmission via email on the counsel of record listed above.

I certify that the above document was printed on recycled paper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 7, 2021, at Calabasas, California.

Beatriz Franco
BEATRIZ FRANCO



**Superior Court of California
County of Butte**

1775 Concord Ave
Chico CA 95928

Civil
530-532-7009

Alex Paul Katofsky
Gaines & Gaines APC
27200 Agoura Rd Ste 101
Calabasas CA 91301

FILED
Superior Court of California
County of Butte
JUL 12 2021
Kimberly Flener Clerk
By E. PIPER Deputy

Re: Castellanos, Elsa vs Ampla Health, a California corporation

Case Number: 21CV01531

Proof of Mailing

I, Kimberly Flener, Clerk of the Superior Court of the State of California, in and for the County of Butte, do hereby certify that on July 12, 2021, I served copies of Stipulation and Order Approving Settlement of Private Attorneys General Act Claims, in the above entitled action by placing the document(s) for collection and mailing on the date shown, following standard court practices in a sealed envelope with postage fully prepaid, to the parties shown below. The mailing occurred in Chico, California.

Mailed to:
Alex Paul Katofsky Gaines & Gaines, APC 27200 Agoura Rd, Ste 101 Calabasas, CA 91301

July 12, 2021

Kimberly Flener,
Clerk of the Superior Court
By: E. Piper, Deputy Clerk