

TOWER LEGAL GROUP, P.C.

James A. Clark (SBN 278372)

Renee P. Ortega (SBN 283441)

Ariel A. Pytel (SBN 328917)

11335 Gold Express Drive, Ste. 105

Gold River, CA 95670

Telephone: (916) 233-2008

Email: james.clark@towerlegalgroup.com

[Additional Counsel on Signature Page]

Attorneys for Plaintiff

SHANON DOCKERY

MAYER BROWN LLP

RUTH ZADIKANY (SBN 260288)

rzadikany@mayerbrown.com

C. MITCHELL HENDY (SBN 282036)

mhendy@mayerbrown.com

333 South Grand Avenue, 47th Floor

Los Angeles, California 90071-1503

Telephone: (213) 229-9500

Facsimile: (213) 625-0248

Attorneys for Defendants

FRONTIER COMMUNICATIONS CORPORATION

and CITIZENS TELECOM SERVICES COMPANY, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

SHANON DOCKERY, on behalf of herself
and all employees similarly situated,

Plaintiff,

v.

FRONTIER COMMUNICATIONS
CORPORATION, a Delaware Corporation;
CITIZENS TELECOM SERVICES
COMPANY, LLC, a Delaware Corporation;
and DOES 1-10 inclusive,

Defendants.

Case No. 34-2021-00295726-CU-OE-GDS

**JOINT STIPULATION AND [PROPOSED]
ORDER TO DISMISS ENTIRE ACTION
PURSUANT TO AN INDIVIDUAL
SETTLEMENT**

Action Filed: March 3, 2021

1 Plaintiff Shanon Dockery (“Plaintiff”) and Defendants Frontier Communications
2 Corporation and Citizens Telecom Services Company (“Defendants”) (together the “Parties”) by
3 and through their undersigned counsel of record respectfully stipulate as follows:

4 WHEREAS, on March 3, 2021, Shanon Dockery filed a complaint in Sacramento County
5 Superior Court for the State of California, captioned *Dockery v. Frontier Communications*
6 *Corporation*, Case No. 34-2021-00295726-CU-OE-GDS (the “Action”), alleging a cause of action
7 for civil penalties under the California Private Attorneys General Act of 2003 (“PAGA”).

8 WHEREAS, on March 9, 2021, Dockery filed a hybrid collective action under the Fair Labor
9 Standards Act (“FLSA”) and a class action under California law in the United States District Court
10 for the Eastern District of California, captioned *Dockery v. Frontier Communications Corporation*,
11 Case No. 2:21-cv-00416-TLN-CKD (the “Federal Action”), alleging 13 causes of action under the
12 FLSA, the California Labor Code, the California Unfair Competition Law, and ERISA (the “Federal
13 Action”).

14 WHEREAS, in this Action, Plaintiff sought to serve as a representative plaintiff on behalf
15 of himself and other allegedly “aggrieved employees” who were employed by Defendants in
16 California and to collect civil penalties pursuant to PAGA for various Labor Code violations.

17 WHEREAS, on August 24, 2021, the Court stayed this Action pending resolution of the
18 Federal Action.

19 WHEREAS, on March 31, 2023, the Court in the Federal Action dismissed Plaintiff’s First
20 Amended Complaint without prejudice and denied Plaintiff’s motion for conditional certification
21 without prejudice.

22 WHEREAS, on April 28, 2023, Plaintiff filed a Second Amended Complaint in the Federal
23 Action.

24 WHEREAS, after the Court’s rulings and the filing of the Second Amended Complaint, the
25 Parties engaged in arms’-length negotiations regarding potentially resolving this Action and the
26 Federal Action and have agreed to settle all of Plaintiff’s claims on an individual basis, including
27 Plaintiff’s individual claims under PAGA.

1 WHEREAS, as a result of the negotiations, on or about October 24, 2023, Plaintiff and
2 Defendants entered into a Settlement Agreement and Release (the “Settlement Agreement”)
3 pursuant to which they agreed to resolve all of Plaintiff’s claims in their entirety.

4 WHEREAS, Plaintiff has received no consideration (nor any promise of any consideration),
5 direct or indirect, for the dismissal of any class action claims or causes of action, or for the dismissal
6 of the claims of other alleged “aggrieved employees” under PAGA.

7 WHEREAS, the parties’ settlement is conditioned on the Court’s approval of the dismissal
8 of this Action.

9 WHEREAS, to date, no collective has been certified (conditionally or otherwise) in the
10 Federal Action, no determination has been made that this Action can progress as a representative
11 action under PAGA, nor has any notice been provided to other current or former employees of
12 Defendants regarding Plaintiff’s alleged PAGA claims.

13 WHEREAS, the Parties acknowledge and agree that neither the settlement nor the Court’s
14 entry of an Order approving same preclude Defendants’ other employees from filing their own
15 claims, including their own PAGA claims should they desire to do so, as such claims are being
16 dismissed without prejudice.

17 WHEREAS, on November 10, 2023, pursuant to California Labor Workforce Development
18 Agency (“LWDA”) requirements, Plaintiff’s counsel submitted a copy of the Settlement Agreement
19 to the LWDA.

20 WHEREAS, on November 10, 2023, Plaintiff’s counsel also mailed to the PAGA
21 Administrator a letter notice of the Settlement Agreement (“Notice”). This notification requested
22 the LWDA inform Plaintiff’s counsel within 14 days if the LWDA has an objection to the settlement.

23 WHEREAS, to date, the LWDA has not objected to the Notice.

24 WHEREAS, the Parties are agreeable to providing further detail regarding the individual
25 settlement during an *in camera* review to the extent the Court finds such a hearing necessary.

26 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:**

- 27 1. All of the Plaintiff Shanon Dockery’s claims in this action, including Plaintiff’s PAGA
28

1 cause of action, are dismissed with prejudice;

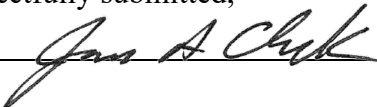
2 2. The potential claims of the unnamed putative “aggrieved employees” under PAGA are
3 dismissed without prejudice; and

4 3. The entire Action is dismissed as to all causes of action and all defendants.
5

6 **IT IS SO STIPULATED.**
7

8 Dated: October 31, 2023
9

10 Respectfully submitted,

11 By: 

By: /s/ Ruth Zadikany

12 **TOWER LEGAL GROUP, P.C.**
13 JAMES A. CLARK (SBN 278372)
14 11335 Gold Express Drive, Ste. 105
Gold River, CA 95670
Telephone: (916) 361-6009

15 **CHRISTINA HUMPHREY LAW, P.C.**
16 CHRISTINA A. HUMPHREY (SBN
17 226326)
Christina@chumphreylaw.com
18 1117 State Street
Santa Barbara, CA 93101
19 Telephone: (805) 618-2924
20 Facsimile: (805) 618-2939

21 *Attorneys for Plaintiff*
SHANNON DOCKERY
22 _____
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24
25
26
27
28

MAYER BROWN LLP
RUTH ZADIKANY (SBN 260288)
rzadikany@mayerbrown.com
C. MITCHELL HENDY (SBN 282036)
mhendy@mayerbrown.com
350 South Grand Avenue, 25th Floor
Los Angeles, California 90071-1503
Telephone: (213) 229-9500
Facsimile: (213) 625-0248

Attorneys for Defendants
CITIZENS TELECOM SERVICES
COMPANY, LLC

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[PROPOSED] ORDER

The Court, having read and considered the Stipulation, and finding good cause, hereby orders as follows:

IT IS HEREBY ORDERED that:

- 1. All of the individual claims of Plaintiff Shanon Dockery, including Plaintiff’s PAGA cause of action, are dismissed with prejudice;
- 2. The claims of the unnamed putative class members and/or “aggrieved employees” under PAGA are dismissed without prejudice; and
- 3. The entire Action is dismissed as to all causes of action and all defendants

Dated: _____
Judge of the Superior Court

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PROOF OF SERVICE

I am employed in the County of Sacramento; I am over the age of eighteen years and am not a party to the within action; and my business address is 11335 Gold Express Drive, Suite 105, Sacramento, CA 95670

On **November 16, 2023** I served the document(s) described as **STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE** on the party (or parties) in this action by delivering a true copy (or copies) addressed as follows:

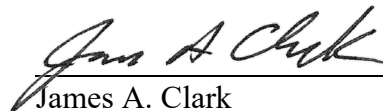
Ruth Zadikany
RZadikany@mayerbrown.com
Mayer Brown LLP
333 S. Grand Avenue, 47th Floor
Los Angeles, CA 90071

XXX BY ELECTRONIC TRANSMISSION: I caused such document to be served on this date by electronic transmission in accordance with the standard procedures and to the e-mail address listed above.

☐ **BY OVERNIGHT DELIVERY:** I enclosed the document(s) in an envelope (or envelopes) or package (or packages) provided by an overnight-delivery carrier and addressed to the person(s) at the address(es) above. I placed the envelope(s) or package(s) for collection and overnight delivery at an office or a regularly utilized drop-box of the overnight-delivery carrier.

☐ **BY HAND DELIVERY:** I caused an envelope (or envelopes) containing the document(s) to be delivered by hand to the office(s) of the addressee(s).

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct. Executed on **November 16, 2023** at Sacramento, California.


James A. Clark