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Attorneys for Plaintiff Johnathon Fausto, on behalf of himself and all “aggrieved employees” pursuant to Labor Code § 2698 et seq.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

JONATHAN FAUSTO, on behalf of himself
and all “aggrieved employees” pursuant to
Labor Code § 2698 et seq.,

Plaintiff,

vs.

HIGH PERFORMANCE LOGISTICS LLC,
a California limited liability company, and
DOES 1 through 10, inclusive,

Defendants.

Case No. CIVSB2115097

Assigned to the Hon. Stephanie Tanada, Dept. S33

**PLAINTIFF’S REQUEST FOR DISMISSAL;
[PROPOSED] ORDER**

[Filed Concurrently: Declaration of Daniel F.
Gaines in Support of Request for Dismissal of
Representative Action]

Complaint Filed: May 25, 2021

1 **REQUEST FOR DISMISSAL**

2 Based on the facts set forth in the concurrently-filed Declaration of Daniel F. Gaines, Plaintiff
3 Jonathan Fausto ("Plaintiff") hereby requests that the Court enter a dismissal of this action ***WITH***
4 ***PREJUDICE*** as to Plaintiff's individual claims and ***WITHOUT PREJUDICE*** as to the PAGA
5 representative claims.

6 Dated: August 19, 2024

Respectfully submitted,
GAINES & GAINES, APLC

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8 By: *Daniel F. Gaines*
9 DANIEL F. GAINES
10 Attorneys for Plaintiff

11 **[PROPOSED] ORDER**

12 Based on the Request for Dismissal and the concurrently-filed Declaration of Daniel F.
13 Gaines, it is hereby ORDERED that this action is dismissed WITH PREJUDICE as to Plaintiff's
14 individual claims and WITHOUT PREJUDICE as to the PAGA representative claims.

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16 Dated: _____

JUDGE OF THE SUPERIOR COURT

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_____ (For messenger) my business address is:

**Tim L. Johnson, Esq.
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____ (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.

 X (UPLOADED TO LWDA WEB PORTAL) I caused the above-described documents to be delivered to the Labor & Workforce Development Agency via online process at the PAGA Filing website (www.dir.ca.gov) in accordance with the procedure imposed by the LWDA.

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

Executed on August 19, 2024, at Westlake Village, California.

AMELIA BOOTH