

WHITEHEAD EMPLOYMENT LAW

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Attorneys for Plaintiff, Laura Becker

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

LAURA BECKER, an individual on her own
behalf, and on behalf of all others similarly
situated,

Plaintiff,

v.

LABORATORY CORPORATION OF
AMERICA HOLDINGS, a Delaware
corporation; and DOES 1 through 25, inclusive,

Defendants.

Case No.: 30-2021-01206025-CU-OE-CXC

*Assigned for all purposes to the
Hon. Judge Peter Wilson*

**NOTICE OF JULY 28, 2023 ORDER
GRANTING DISMISSAL OF ACTION**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE, on July 28, 2023, the Court issued an Order granting the July 28, 2023 Request for Dismissal with Prejudice as to the Plaintiff's Individual Claims and Without Prejudice as to the Representative PAGA Claims of the Aggrieved Employees in the above-entitled action.

PLEASE TAKE FURTHER NOTICE, the Plaintiff will provide the notice of dismissal to the Labor & Workforce Development Agency.

1 A true and correct copy of the July 28, 2023, Order of Judge Peter Wilson, is attached
2 hereto as **Exhibit A.**

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4 Dated: August 1, 2023

W EMPLOYMENT LAW, APC

5 By: 

Jacob N. Whitehead, Esq.
6 Counsel for Plaintiff
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EXHIBIT A

JULY 28, 2023 COURT ORDER

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Civil Complex Center
751 W. Santa Ana Blvd
Santa Ana, CA 92701

SHORT TITLE: Becker vs. Laboratory Corporation of America Holdings

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC
SERVICE**

CASE NUMBER:
30-2021-01206025-CU-OE-CXC

I certify that I am not a party to this cause. I certify that the following document(s), Order - Other dated 07/28/23, have been transmitted electronically by Orange County Superior Court at Santa Ana, CA. The transmission originated from Orange County Superior Court email address on August 1, 2023, at 10:50:40 AM PDT. The electronically transmitted document(s) is in accordance with rule 2.251 of the California Rules of Court, addressed as shown above. The list of electronically served recipients are listed below:

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Clerk of the Court, by:

_____, Deputy

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

1 **W EMPLOYMENT LAW, APC**
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5 Attorneys for Plaintiff, Laura Becker

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

JUL 28 2023

DAVID H. YAMASAKI, Clerk of the Court

BY: _____, DEPUTY

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF ORANGE**

10 LAURA BECKER, an individual on her own
11 behalf and on behalf of all others similarly
12 situated,

13 Plaintiffs,

14 vs.

15 LABORATORY CORPORATION OF
16 AMERICA HOLDINGS, a Delaware
Corporation; and DOES 1-25, inclusive,

17 Defendants.
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Case No.: 30-2021-01206025-CU-OE-CXC

*Assigned to the Honorable Peter Wilson
in Dept. CX-101*

**~~(PROPOSED)~~ ORDER GRANTING REQUEST
FOR DISMISSAL WITH PREJUDICE AS TO
PLAINTIFF'S INDIVIDUAL CLAIMS AND
WITHOUT PREJUDICE AS TO THE
REPRESENTATIVE PAGA CLAIMS OF THE
AGGRIEVED EMPLOYEES**

*(Plaintiff's Request for Dismissal and Declaration
of Jacob N. Whitehead concurrently Filed herewith
pursuant to California Rules of Court, Rule 3.770)*

Action Filed: June 14, 2021

23 **PROPOSED ORDER**

24 The Court, having considered the Plaintiff's Request for Dismissal With Prejudice as to
25 Plaintiff's Individual Claims and Dismissal Without Prejudice as to the Aggrieved Employees
26 Representative claims, the supporting ~~CCP 3.770~~ Declaration of Jacob N. Whitehead, and all legal
27 authorities in support thereof, and good cause appearing therefore, orders as follows:

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1. Plaintiff's individual claims, including her individual claims under the PAGA, alleged in the Complaint in this Action against Defendant are dismissed with prejudice: and
2. All the Representative PAGA claims alleged in the Complaint in this Action against Defendant on behalf of the alleged Aggrieved Employees are dismissed without prejudice.
3. Notice of this dismissal ~~shall~~ ^{need} not be given to the Aggrieved Employees.
4. Plaintiff shall give notice herof to the LWDA.

IT IS SO ORDERED.

DATED: 7/28/23

Honorable Peter Wilson
Superior Court of the State of California,
County of Orange

PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF ORANGE
Laura Becker v. Labcorp
Case No. 30-2021-01206025-CU-OE-CXC

I am employed in the County of Orange, State of California. I am over the age of eighteen years and am not a party to the within action. My business address is **7700 Irvine Center Drive, Suite 930, Irvine, California, 92618**.

On August 1, 2023, I served true copies of the following document(s): **NOTICE OF JULY 28, 2023 ORDER GRANTING DISMISSAL OF ACTION** on the interested parties in this action, addressed as follows:

<u>Via On Line Electronic Service</u> California Labor & Workforce Development Agency https://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html	<i>State of California, Department of Industrial Relations – Labor Workforce & Development Agency</i>
<u>Via Electronic Service</u> Christopher J. Kondon, Esq. Sam Rejali, Esq. Vanuhi Karapetian, Esq. Kate G. Hummel, Esq. K&L GATES LLP 10100 Santa Monica Boulevard, Eighth Floor Los Angeles, California 90067 <i>Email: christopher.kondon@klgates.com</i> <i>Email: saman.rejali@klgates.com</i> <i>Email: Vannie.Karapetian@klgates.com</i> <i>Email: Kate.hummel@klgates.com</i>	<i>Counsel for Defendant, Laboratory Corporation of America Holdings</i>

- () **(BY U.S. MAIL)** I am readily familiar with the business practice of my place of employment with respect to the collection and processing of correspondence, pleadings, and notices for mailing with the United States Postal Service. I placed a true copy of the above-mentioned document(s) in a sealed envelope to the addressee(s) set forth hereinabove, with sufficient first-class postage thereon pre-paid. The foregoing sealed envelope was placed for collection and mailing, consistent with the ordinary business practice of my place of employment, so that it will be picked up on the below-mentioned date at Irvine, California, in the ordinary course of business.
- (X) **(BY ELECTRONIC SERVICE)** On the below-mentioned date, I electronically served a true and correct copy of the foregoing document(s) to the electronic service address(es) set forth hereinabove. The transmission was reported complete and without error by my electronic mail service provider.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct. I declare that I am employed in the office of a member of the bar of this court, at
3 whose direction the service was made.

4 Executed on August 1, 2023 at Irvine, California.

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Thomas Hayostek
THOMAS HAYOSTEK, DECLARANT