

BY FAX

MAY 25 2022

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17 Counsel for Plaintiff, Tatiana Chilton

18 SUPERIOR COURT OF THE STATE OF CALIFORNIA
19 COUNTY OF SAN JOAQUIN

20 TATIANA CHILTON,

21 Plaintiff,

22 vs.

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24 UNIVERSAL PROTECTION SERVICE, LP
25 dba ALLIED UNIVERSAL PROTECTION
26 SECURITY SERVICES,

27 Defendants.
28

10B
2/17
Filed MAY 26 2022

BRANDON E. RILEY, CLERK

By

DEPUTY

Case No.: STK-CV-UOE-2021-8057

ASSIGNED FOR ALL PURPOSES TO:
HON. ERIN GUY CASTILLO, DEPT. 10B
JOINT STIPULATION FOR APPROVAL
OF SETTLEMENT DISMISSING PAGA
ACTION, AND DISMISSAL OF ACTION
WITH PREJUDICE, AND
[PROPOSED] ORDER

COMPLAINT FILED: AUGUST 27, 2021
TRIAL DATE: NONE

JOINT STIPULATION FOR APPROVAL OF SETTLEMENT DISMISSING PAGA ACTION, AND DISMISSAL
OF ACTION WITH PREJUDICE, AND PROPOSED ORDER -

1 Plaintiff Tatiana Chilton ("Plaintiff") and Defendant Universal Protection Service, LP
2 dba Allied Universal Protection Security Services ("Defendant") (collectively "the Parties") by
3 and through their respective counsel hereby stipulate and agree to the following:

4 WHEREAS, Plaintiff filed the instant Private Attorney General Act (PAGA) action on
5 August 27, 2021, alleging Defendant (a) failed to provide meal periods in violation of California
6 Labor Code sections 226.7, 512; 558; (b) failed to provide rest periods in violation of California
7 Labor Code sections 226.7, 558 and applicable IWC wage order; (c) failed to provide overtime
8 premiums in violation of California Labor Code sections 218.6, 510(a) and 1194; (d) failed to
9 timely pay all wages earned during employment in violation of California Labor Code sections
10 204(a) and 210; (e) failed to provide all wages due upon separation of employment in violation
11 of California Labor Code sections 201, 202 and 203; (f) failed to provide employees with
12 complete, accurate itemized wage statements in violation of California Labor Code section 226;
13 (g) failed to keep accurate and complete payroll records showing actual hours worked and wages
14 paid in violation of California Labor Code section 1174(d); and (h) failed to provide employees
15 with the requisite information in writing in violation of California Labor Code 2810.5; and

16 WHEREAS, one or more other actions are currently pending in California courts alleging
17 the same or similar PAGA claims against Defendants; and

18 WHEREAS, the Parties have reached agreement and entered into a confidential
19 Settlement Agreement that resolves all of Plaintiff's claims alleged in the complaint; and

20 WHEREAS, the Parties agree that it is in the interest of judicial economy to settle
21 Plaintiff's individual claims, with prejudice, and to dismiss the PAGA cause of action in this
22 matter with prejudice only as to Plaintiff Chilton's right to pursue any rights or remedies under
23 PAGA against Defendant; and

24 WHEREAS, the terms of the Settlement Agreement do not affect the rights of the
25 similarly situated aggrieved employees Plaintiff sought to represent; and
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JOINT STIPULATION FOR APPROVAL OF SETTLEMENT DISMISSING PAGA ACTION, AND DISMISSAL
OF ACTION WITH PREJUDICE, AND PROPOSED ORDER -

1 WHEREAS, the Parties, through this stipulation, seek an order approving the dismissal
2 of this action, including the PAGA cause of action, consistent with the terms of the Settlement
3 Agreement.

4 Now THEREFORE IT IS HEREBY STIPULATED, by and between the Parties through
5 their respective counsel and subject to the Court's approval, that this matter be dismissed with
6 prejudice as the Plaintiff Tatiana Chilton and without prejudice as to the similarly situated
7 aggrieved employees she sought to represent in this action.

8
9 Date: 5/20/2022

CALIFORNIA RURAL LEGAL ASSISTANC, INC.

10
11 By: Monica Sousa
12 Monica S. Sousa
13 Attorney for Plaintiff TATIANA CHILTON

14 Date: 5/23/2022

ADVOCATES FOR WORKERS RIGHTS, LLP

15
16 By: Marco A. Palau
17 Marco A. Palau
18 Attorney for Plaintiff TATIANA CHILTON

19 Date:

MARTENSON, HASBROUCK & SIMON LLP

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21 By: Diana Cabrera-Vega
22 Jeremy T. Naftel
23 Ace T. Tate
24 Diana Cabrera-Vega
25 Attorneys for Defendants
26 UNIVERSAL PROTECTION SERVICE, LP d/b/a
27 ALLIED UNIVERSAL SECURITY SERVICES
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~~PROPOSED~~ ORDER

Based on the Joint Stipulation of the Parties, and good cause appearing, IT IS ORDERED
THAT:

1. Plaintiff's action is dismissed as to all Defendants WITH PREJUDICE as to Plaintiff Tatiana Chilton only and WITHOUT PREJUDICE as to the similarly situated aggrieved employees she sought to represent in this action.

Date:

5/28/22



The Honorable Erin Guy Castillo Judge of the Superior
Court County of San Joaquin