

SEP 07 2022

By: M. Abosamra, Deputy

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

JOSE S. RIVERA, an individual; and
PORFIRIO N. ALVAREZ, an individual,

Plaintiffs,

v.

MIRELES LANDSCAPING INC, a California
Corporation; JOSE ROBERTO MIRELES, an
individual; and DOES 1 through 50, inclusive,

Defendants.

CASE NO.: 37-2021-00023588-CU-OE-CTL

**[PROPOSED] ORDER ON JOINT EX
PARTE NOTICE AND APPLICATION
FOR APPROVAL OF SETTLEMENT
OF PLAINTIFFS' PRIVATE
ATTORNEYS GENERAL ACT
("PAGA") CLAIM**

I/C: Hon. Katherine Bacal
Dept.: C-69

Date: September 7, 2022
Time: 8:45 a.m.

Date of First Paper: May 28, 2021
Trial date: November 4, 2022

[IMAGED FILE]

The Joint Ex Parte Application for Approval of Settlement of Private Attorneys General Act ("PAGA") Claim (hereinafter "Application") came on for hearing in Department C-69 of this Court on September 7, 2022. Attorney Rodolfo Ruiz-Velasco appeared on behalf of Plaintiffs Jose S. Rivera and Porfirio N. Alvarez ("Plaintiffs"), and Attorney(s) Steven Elia and/or Garrett

1 Groom appeared on behalf of Defendants Mireles Landscaping Inc and Jose Roberto Mireles
2 ("Defendants"). Having read the Application, the memorandum of points and authorities, and the
3 declaration(s), and having heard argument of counsel,
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5 IT IS ORDERED that the Application is granted. PAGA civil penalties of one thousand
6 dollars (\$1,000.00) are imposed on Defendants, with 75% of the \$1,000 or \$750.00 to go to the
7 California Labor Workforce Development Agency ("LWDA") and 25% or \$250.00 to go to the
8 aggrieved employees of Defendants, who are all nonexempt employees employed by Defendants
9 from February 9, 2020 to August 23, 2022 ("PAGA Period"). Defendants shall finish paying the
10 \$1,000 in civil penalties on or before December 1, 2023. Defendants' counsel shall distribute the
11 PAGA civil penalties to the aggrieved employees pro rata depending on the number of pay periods
12 they worked during the PAGA Period, along with the "Notice to Aggrieved Employees" which is
13 attached to the settlement agreement between the Parties as Exhibit A, and Plaintiffs' counsel shall
14 distribute the PAGA civil penalties to the LWDA.
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16 The following alternative or additional relief is granted: _____
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22 **IT IS SO ORDERED.**

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24 **DATE:** 9/7/22

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26 **Honorable KATHERINE BACAL**
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