

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE, CIVIL COMPLEX CENTER

MANUEL LIMA, individually, and on
behalf of all others similarly situated,

Plaintiff,

vs.

FAR WEST RESTAURANT GROUP LLC,
a California limited liability company; and
DOES 1 through 100, inclusive,

Defendants.

Case No. 30-2021-01218044-CU-OE-CXC

Assigned for All Purposes to:
Judge Randall J. Sherman
Department CX-105

**[PROPOSED] ORDER RE: JOINT
STIPULATION FOR: (1) COURT
APPROVAL OF INDIVIDUAL PAGA
SETTLEMENT, (2) DISMISSAL OF
CLASS CLAIMS WITHOUT
PREJUDICE, (3) TO TAKE THE
SEPTEMBER 9, 2022, HEARING ON
DEFENDANT'S MOTION TO
COMPEL ARBITRATION OFF
CALENDAR, AND (4) TO CONTINUE
THE SEPTEMBER 9, 2022, STATUS
CONFERENCE**

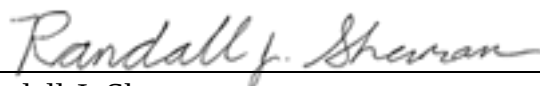
1 [PROPOSED] ORDER

2 Good cause having been shown, the foregoing stipulation is hereby approved and it
3 is hereby ordered that:

- 4 1. Plaintiff's class claims are dismissed without prejudice pursuant to California
5 Rules of Court, Rule 3.770, such that only Plaintiff's individual claims and the
6 PAGA claim shall remain pending until further order of the Court. No hearing
7 regarding the dismissal and no notice of the dismissal to the putative class is
8 required because their dismissal without prejudice will not result in prejudice to
9 any of the putative class members.
- 10 2. The Settlement Agreement is approved pursuant to California Labor Code
11 Section 2699(l)(2). Seventy-five percent (75%) of the civil penalties allocated
12 to the settlement of Plaintiff's individual PAGA claim shall be paid to the
13 LWDA pursuant to California Labor Code section 2699(i), with the remainder
14 to be paid to Plaintiff.
- 15 ~~3. The hearing on Defendant's Motion to Compel Arbitration currently set for~~
16 ~~September 9, 2022, at 10:00 a.m. is taken off calendar.~~
- 17 4. ~~The Status Conference currently set for September 9, 2022, shall be continued~~
18 ~~to _____, at _____ a.m. / p.m., a date no earlier than~~
19 ~~October 7, 2022.~~ The Parties shall file a Joint Statement no later than five (5)
20 court days in advance, unless all papers in support of the dismissal of Plaintiff's
21 individual claims and PAGA claim as to Plaintiff only with prejudice, and the
22 dismissal of the PAGA claim as to all other allegedly aggrieved employees
23 other than Plaintiff without prejudice, are filed prior to the continued date of the
24 Status Conference.

25 **IT IS SO ORDERED.**

26 Dated: **October 7, 2022**

27 
28 Randall J. Sherman
JUDGE OF THE SUPERIOR COURT