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Attorneys for Plaintiff Randall Kunsman, 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 SACRAMENTO

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

Plaintiffs,

v.

PATRIOT ENVIRONMENTAL SERVICES,
INC., a California corporation, and DOES 1
through 10, inclusive,

Defendants.

Case No: 34-2021-00310042-CU-OE-GDS

Assigned to the Hon. Thadd A. Blizzard, Dept. 43

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

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

Complaint Filed: October 22, 2021

1 **REQUEST FOR DISMISSAL**

2 Based on the facts set forth in the concurrently-filed Declaration of Evan S. Gaines, Plaintiffs
3 Randall Kunsman ("Plaintiff") hereby request that the Court enter a dismissal of this action WITH
4 PREJUDICE.

5 Dated: December 3, 2024

Respectfully submitted,

6 GAINES LAW CORPORATION

7
8 By:



9 EVAN S. GAINES
Attorneys for Plaintiff

10 **[PROPOSED] ORDER**

11 Based on the Request for Dismissal and the concurrently-filed Declaration of Evan S. Gaines,
12 it is hereby ORDERED that this action is dismissed WITH PREJUDICE.
13

14 Dated: _____

15 _____
JUDGE OF THE SUPERIOR COURT

1 **PROOF OF SERVICE AND CERTIFICATION**

2 I am employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the
3 within action; my business address is 4550 East Thousand Oaks Boulevard, Suite 100, Westlake Village, CA 91362.

4 _____ (For messenger) my business address is:

5 On December 3, 2024, I served the foregoing document described as **PLAINTIFF'S REQUEST FOR**
6 **DISMISSAL OF REPRESENTATIVE ACTION; [PROPOSED] ORDER** on the interested parties in this action by
7 placing a true copy thereof enclosed in sealed envelopes addressed as follows:

8 **MORGAN, LEWIS & BOCKIUS LLP**
9 **Kathryn T. McGuigan, Esq.**
10 **300 South Grand Avenue, 22nd Floor**
11 **Los Angeles, California 90071-3132**
12 kathryn.mcguigan@morganlewis.com

13 **MORGAN, LEWIS & BOCKIUS LLP**
14 **Regina Agopian, Esq.**
15 **1400 Page Mill Road**
16 **Palo Alto, CA 94304-1124**
17 regina.agopian@morganlewis.com

18 _____ (BY ☐ U.S. MAIL/ BY ☐ CERTIFIED MAIL, RETURN RECEIPT REQUESTED) The sealed envelope was
19 mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection
20 and processing correspondence for mailing. It is deposited with United States postal service on that same
21 day in the ordinary course of business. I am aware that on motion of party served, service is presumed
22 invalid if postal cancellation date or postage meter date is more than one day after date of deposit for
23 mailing in affidavit.

24 _____ (BY FEDERAL EXPRESS OR OTHER OVERNIGHT SERVICE) I deposited the sealed envelope in a box or
25 other facility regularly maintained by the express service carrier or delivered the sealed envelope to an
26 authorized carrier or driver authorized by the express carrier to receive documents.

27 X (BY ELECTRONIC SERVICE) The above-stated document was submitted for service by electronic
28 transmission of CASEANYWHERE on the counsel of record listed above..

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

32 I certify that the above document was printed on recycled paper.

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

34 Executed on December 3, 2024, at Westlake Village, California.

35 
36 _____
37 EVAN S. GAINES
38