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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

FEB 09 2023

BY 
JESSICA MORALES, DEPUTY

7 Attorneys for Plaintiff Dominique Mitchell, on behalf of herself and on behalf of all similarly
situated individuals

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**

10
11 DOMINIQUE MITCHELL, on behalf of
12 herself and on behalf of all similarly situated
individuals,

13 Plaintiffs,

14 v.

15 RMP SAFETY SERVICES INC., a California
16 corporation, and DOES 1 through 10,
inclusive,

17 Defendants.

Case No.: CIVSB2204808

Assigned to the Hon. David Cohn, Dept. S26

**PLAINTIFF'S REQUEST FOR
DISMISSAL OF CLASS AND
REPRESENTATIVE ACTION;
[PROPOSED] ORDER**

[Filed Concurrently: Declaration of Daniel F.
Gaines in Support of Request for Dismissal of
Class and Representative Action]

Complaint Filed: February 23, 2022

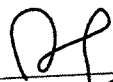
REQUEST FOR DISMISSAL

Based on the facts set forth in the concurrently-filed Declaration of Daniel F. Gaines, Plaintiff DOMINIQUE MITCHELL hereby requests that the Court enter a dismissal of this action **WITH PREJUDICE** as to Plaintiff's individual claims and **WITHOUT PREJUDICE** as to the class and representative action claims.

Dated: February 6, 2023

Respectfully submitted,
GAINES & GAINES, APLC

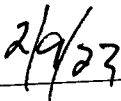
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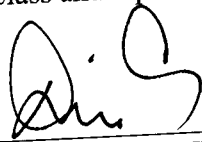

DANIEL F. GAINES
Attorneys for Plaintiff

[PROPOSED] ORDER

Based on the Request for Dismissal and the concurrently-filed Declaration of Daniel F. Gaines, it is hereby ORDERED that this action is dismissed WITH PREJUDICE as to Plaintiff's individual claims and WITHOUT PREJUDICE as to the class and representative action claims.

Dated: _____




JUDGE OF THE SUPERIOR COURT
DAVID COHN

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PROOF OF SERVICE AND CERTIFICATION

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

____ (For messenger) my business address is:

On February 6, 2023, I served the foregoing document described as **PLAINTIFF'S REQUEST FOR DISMISSAL OF CLASS AND REPRESENTATIVE ACTION; [PROPOSED] ORDER** on the interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

Thomas F. Nowland, Esq.
Daniel A. Brodnax, Esq.
Scott A. Ezzati, Esq.
LAW OFFICES OF THOMAS F. NOWLAND
20241 SW Birch Street, Suite 203
Newport Beach, CA 92660

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

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

____ (BY FACSIMILE TRANSMISSION) On _____, at _____ a.m./p.m., at Westlake Village, California, I served the above-referenced document on the above-stated addressee by facsimile transmission pursuant to Rule 2008 of the California Rules of Court. The telephone number of the sending facsimile machine was (818)703-8984 and the telephone number(s) of the receiving facsimile machine was (____) ____-____. A transmission report was properly issued by the sending facsimile machine, and the transmission was reported as complete and without error. Copies of the facsimile transmission cover sheet and the transmission report are attached to this proof of service.

____ (BY PERSONAL DELIVERY) By causing a true copy of the within document(s) to be personally hand-delivered to the office(s) of the addressee(s) set forth above, on the date set forth above.

____ (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

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

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

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

Executed on February 6, 2023, at Westlake Village, California.


AMELIA BOOTH