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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF ORANGE**
10 **CIVIL COMPLEX CENTER**

11 ELIAS PICASSO, individually and as
12 representative of the State of California on
13 behalf of all aggrieved employees,

14 Plaintiff,

15 v.

16 INNOVATIVE MEDICAL MANAGEMENT,
17 INC., a Nevada corporation, INNOVATIVE
18 MEDICAL MANAGEMENT, LLC, a
19 California limited liability company, and DOES
20 1 through 20, inclusive,

21 Defendants.

Case No. 30-2022-01238981-CU-OE-CXC

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION
FOR AN ORDER: (1) APPROVING THE
SETTLEMENT OF PLAINTIFF'S
INDIVIDUAL PAGA CLAIMS AGAINST
THE DEFENDANTS; AND (2)
DISMISSING THOSE PAGA CLAIMS
WITH PREJUDICE**

Court Reservation No: 73729916

Judge: The Honorable James J. Di Cesare
Department: C16
Complaint Filed: January 3, 2022

22 **[Filed Concurrently With (a) Notice of Plaintiff's Unopposed Motion and Plaintiff's**
23 **Unopposed Motion For an Order: (1) Approving the Settlement of Plaintiff's Individual**
24 **PAGA Claims Against the Defendants; and (2) Dismissing Those PAGA Claims With**
25 **Prejudice, (b) Memorandum of Points and Authorities in support thereof, and (c) Declaration**
26 **of Daniel V. Santiago in support thereof]**

1 The Plaintiff, Elias Picasso, filed his Individual and Representative Action Complaint
2 (Original Complaint") against the Defendants, Innovative Medical Management, Inc. ("IMM,
3 Inc."), a Nevada corporation, and Innovative Medical Management, LLC ("IMM, LLC"), a
4 California limited liability company, on January 3, 2022, and his First Amended Individual and
5 Representative Action Complaint ("First Amended Complaint") against the Defendants on February
6 8, 2002. Plaintiff's Original and First Amended Complaints contain, *inter alia*, Plaintiff's claims as
7 representative of the State of California on behalf of all aggrieved employees for civil penalties
8 under the Private Attorneys' General Act of 2004 ("PAGA"), California Labor Code §2698 et seq.,
9 arising from various alleged violations of the California Labor Code and Industrial Welfare
10 Commission Wage Order No. 4-2001. As used herein and in Plaintiff's Original and First Amended
11 Complaints, the term "aggrieved employees" is defined as all California residents who were
12 employed by IMM, INC. and/or IMM, LLC as non-exempt, hourly rate employees at any time
13 within the time period of one (1) year preceding the filing of the Original Complaint in the Action
14 up to and through the date of the trial of the Action. Plaintiff has filed an Unopposed Motion for an
15 Order: (1) approving the settlement of Plaintiff's individual PAGA claims against the Defendants;
16 and (2) dismissing those PAGA claims with prejudice ("Plaintiff's Unopposed Motion").

17 ORDER

18 Having considered Plaintiff's Unopposed Motion and related papers filed by Plaintiff's
19 counsel (Notice of Plaintiff's Unopposed Motion, Memorandum of Points and Authorities in
20 support of Plaintiff's Unopposed Motion, and Declaration of Daniel V. Santiago in support of
21 Plaintiff's Unopposed Motion), and good cause appearing for the relief requested therein,

22 **IT IS HEREBY ORDERED THAT:**

23 1. The Court approves of the settlement of Plaintiff's individual PAGA claims against
24 the Defendants in the Action (i.e., Plaintiff's PAGA claims against the Defendants as representative
25 of the State of California on behalf of himself as an allegedly aggrieved employee) for One
26 Thousand Dollars (\$1,000) to be paid as follows: (a) Seven Hundred Fifty Dollars (\$750) to the
27 Labor and Workforce Development Agency ("LWDA") (i.e., 75% of the PAGA settlement); and
28 (b) Two Hundred Fifty Dollars (\$250) to the Plaintiff (i.e., 25% of the PAGA settlement).

1 2. The aforementioned settlement payments to the LWDA and Plaintiff shall be made
2 by Defendants in accordance with the terms of the parties' settlement agreement.

3 3. Plaintiff's PAGA claims against the Defendants in the Action as representative of the
4 State of California on behalf of himself as an allegedly aggrieved employee are hereby dismissed
5 with prejudice.

6 4. Plaintiff's PAGA claims against the Defendants in the Action as representative of the
7 State of California on behalf of the other allegedly aggrieved employees are hereby dismissed
8 without prejudice.

9 5. Plaintiff's non-PAGA claims against the Defendants in the Action are hereby
10 dismissed with prejudice in accordance with the terms of the parties' settlement agreement.

11 6. Having thereby disposed of all claims and causes of action encompassed herein, this
12 action is hereby dismissed.

13 Dated: _____

The Honorable Judge James J. Di Cesare
Judge of the Orange County Superior Court