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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SISKIYOU**

10 KIMBERLY M. LATOS, individually and as
11 representative of the State of California on
12 behalf of herself as an aggrieved employee,

13 Plaintiff,

14 v.

15 SISKIYOU HUMANE SOCIETY, INC., a
16 California non-profit corporation, and DOES 1
17 through 20, inclusive,

18 Defendants.

Case No. SCCVCV22-52

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION
FOR AN ORDER APPROVING THE
SETTLEMENT OF PLAINTIFF'S PAGA
CLAIMS AND DISMISSING THOSE
CLAIMS WITH PREJUDICE**

Hearing Date: June 16, 2022
Hearing Time: 9:30 a.m.
Hearing Location: Courtroom 2
Complaint Filed: January 19, 2022

19 **[Filed Concurrently With (a) Notice of Plaintiff's Unopposed Motion and Plaintiff's**
20 **Unopposed Motion For an Order Approving the Settlement of Plaintiff's PAGA Claims**
21 **Against the Defendant With Prejudice; (b) Memorandum of Points and Authorities in support**
22 **thereof, and (c) Declaration of Daniel V. Santiago in support thereof]**

23 The Plaintiff, Kimberly M. Latos, filed her Individual and Representative Action Complaint
24 ("Complaint") against the Defendant, Siskiyou Humane Society, Inc., on January 19, 2022.
25 Plaintiff's Complaint contains Plaintiff's individual claims against the Defendant for its alleged
26 violations of the California Labor Code ("Labor Code") and Industrial Welfare Commission
27 ("IWC") Wage Order No. 5-2001. Additionally, Plaintiff's Complaint contains Plaintiff's
28 representative claims, as representative of the State of California on behalf of herself as an
aggrieved employee of the Defendant, against the Defendant under the Private Attorneys' General

1 Act of 2004 ("PAGA"), Labor Code §2698 et seq., for civil penalties arising from its alleged
2 violations of the Labor Code and IWC Wage Order No. 5-2001.

3 Plaintiff has filed an Unopposed Motion for an Order approving the settlement of Plaintiff's
4 PAGA claims against the Defendant and dismissing those claims with prejudice ("Plaintiff's
5 Unopposed Motion").

6 **ORDER**

7 Having considered Plaintiff's Unopposed Motion and supporting papers filed by Plaintiff's
8 counsel (Notice of Plaintiff's Unopposed Motion, Memorandum of Points and Authorities in
9 support of Plaintiff's Unopposed Motion, and Declaration of Daniel V. Santiago in support of
10 Plaintiff's Unopposed Motion), and good cause appearing for the relief requested therein,

11 **IT IS HEREBY ORDERED THAT:**

12 1. The Court approves of the settlement of Plaintiff's PAGA claims against the
13 Defendant for Two Thousand Dollars (\$2,000) to be paid as follows: (a) One Thousand Five
14 Hundred Dollars (\$1,500) to the Labor and Workforce Development Agency ("LWDA") (i.e., 75%
15 of the PAGA settlement); and (b) Five Hundred Dollars (\$500) to the Plaintiff (i.e., 25% of the
16 PAGA settlement). Those settlement payments to the LWDA and Plaintiff shall be made in
17 accordance with the terms of the parties' Confidential Settlement Agreement and Mutual Release of
18 All Claims ("Settlement Agreement"), a copy of which is attached as Exhibit 1 to the Declaration of
19 Daniel V. Santiago in Support of Plaintiff's Unopposed Motion.

20 2. Plaintiff's PAGA claims against the Defendant are hereby dismissed with prejudice.

21 3. In accordance with the parties' Settlement Agreement, Plaintiff shall file a Request
22 for Dismissal with prejudice of all of Plaintiff's remaining claims against the Defendants (i.e.,
23 Plaintiff's individual claims against the Defendants other than her PAGA claims) as soon as
24 possible after the entry of this Order.

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26 Dated: _____

Judge of the Siskiyou County Superior Court