

FILED
Superior Court of California
County of Los Angeles

10/17/2023

David W. Slayton, Executive Officer / Clerk of Court

By: T. Lewis Deputy

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Attorneys for Defendant

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

MARIA JAIMES and VIRGINIA ORDAZ,
individually, on behalf of all others similarly
situated, and on behalf of the State of
California and other aggrieved persons; and
SADIE DIAZBARRIGA, individually, and on
behalf of all others similarly situated,

Plaintiffs,

v.

INFINITI HEALTH LLC, a California Limited
Liability Company; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 22STCV07261

CLASS AND REPRESENTATIVE ACTION

[Assigned for all purposes to: Hon. David S. Cunningham III, Dept. 11]

**JOINT STIPULATION TO AMEND
JUDGMENT AND ORDER GRANTING
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT; [**PROPOSED**] ORDER**

Complaint filed: February 28, 2022
FAC filed: November 30, 2022
Trial date: Not set

1 **IT IS HEREBY STIPULATED AND AGREED BY THE BELOW PARTIES,**
2 **THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, AS FOLLOWS:**

3 **WHEREAS**, on February 23, 2023, the Parties executed the Class Action and PAGA
4 Settlement Agreement and Class Notice (the “Settlement Agreement”) which allocated \$50,000
5 from the settlement to civil penalties under PAGA, \$37,500 of which was allocated to the Labor
6 and Workforce Development Agency (“LWDA”) to comply with Labor Code Section 2699(i);

7 **WHEREAS**, on August 3, 2023, Plaintiffs filed their Motion for Final Approval of Class
8 Action Settlement along with a proposed order granting the motion which erroneously stated that
9 “\$35,500 shall be paid to the California Labor and Workforce Development Agency” instead of
10 the agreed upon \$37,500;

11 **WHEREAS**, on September 13, 2023, this Court entered the Judgment and Order containing
12 the error, which the Parties wish to correct to ensure compliance with the Labor Code and the terms
13 of the Settlement Agreement;

14 **THEREFORE**, the Parties respectfully request that the Court amend the Judgment and
15 Order Granting Plaintiffs’ Motion for Final Approval of Class Action Settlement to reflect the
16 correct allocation to the LWDA of \$37,500.

17 **IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES HERETO,**
18 **THROUGH THEIR RESPECTIVE COUNSEL, SUBJECT TO THE COURT’S**
19 **APPROVAL, AS FOLLOWS:**

20 The Judgment and Order Granting Plaintiffs’ Motion for Final Approval of Class Action
21 Settlement entered on September 13, 2023 shall be amended as follows:

22 The amount that shall be paid to the California Labor and Workforce Development Agency
23 from the Gross Settlement Amount in Paragraph 17 shall be changed to \$37,500 from \$35,500 to
24 correctly reflect the terms of the Settlement Agreement.

25 ///

26 ///

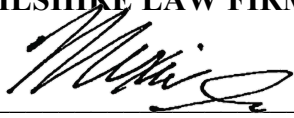
27 ///

28 ///

Respectfully submitted,

Dated: October 9, 2023

WILSHIRE LAW FIRM

By: 

Justin F. Marquez
Benjamin H. Haber
Maxim Gorbunov

Attorneys for Plaintiffs

Dated: October 9, 2023

LITTLER MENDELSON, P.C.

By: /s/ Krystal Saleh

Alecia Whitaker Winfield
Krystal Saleh

Attorneys for Defendant

1 **[PROPOSED] ORDER**

2 The Court, having reviewed the Parties' Joint Stipulation, orders that the Judgement and
3 Order Granting Plaintiffs' Motion for Final Approval of Class Action Settlement entered on
4 September 13, 2023 be amended as follows:

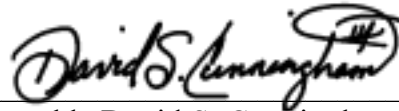
5 The amount that shall be paid to the California Labor and Workforce Development Agency
6 from the Gross Settlement Amount in Paragraph 17 shall be changed to \$37,500 from \$35,500 to
7 correctly reflect the terms of the Settlement Agreement.

8 Within 5 days, the Parties shall submit an Amended Judgement and Order in accordance
9 with this Order.

10 **IT IS SO ORDERED.**

11
12 Dated: 10/17/2023, 2023

By:



Honorable David S. Cunningham III
Judge of the Superior Court

Jaimes, et al. v. Infiniti Health LLC, et al.
21STCV07261

I, Rebecca Padilla, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is rpadilla@wilshirelawfirm.com.

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(X) **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service **CASEANYWHERE.**

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

Executed this **October 9, 2023** at Los Angeles, California.

Signature