

Filed - 04/18/2025

Electronically filed by Superior Court of California
County of Placer on 04/18/2025
Jake Chatters, Clerk of the Court
By B. Baldock Deputy Clerk

Benjamin H. Haber (SBN 315664)
benjamin.haber@wilshirelawfirm.com
Daniel J. Kramer (SBN 314625)
daniel.kramer@wilshirelawfirm.com

WILSHIRE LAW FIRM

3055 Wilshire Blvd., 12th Floor
Los Angeles, California 90010
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiff

Brian A. Duus (SBN 263403)
bduus@leonealberts.com
Jimmie E. Johnson (SBN 223344)
jjohnson@leonealberts.com
LEONE ALBERTS & DUUS
1390 Willow Pass Road, Suite 700
Concord, CA 94520
Telephone: 925-974-8600
Facsimile: 925-974-8601

Attorneys for Defendants
L&S CONSTRUCTION SERVICES, INC.

[further counsel on next page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF PLACER**

GERBER HERNANDEZ, on behalf of the State
of California and other aggrieved persons,

Plaintiff,

v.

L&S CONSTRUCTION SERVICES, INC., a
California corporation; L&S FRAMING, INC., a
California corporation; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: S-CV-0048880

PAGA REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Michael
Jones, Dept. 3]*

**JOINT STIPULATION TO APPROVE
AMENDED ~~[PROPOSED]~~ ORDER
GRANTING PLAINTIFF'S MOTION TO
APPROVE PAGA SETTLEMENT**

Complaint filed: August 4, 2022
Trial date: Not set

1 Adrian Hoppes (SBN 288477)
2 adrian@holdenlawgroup.com
3 **APOLLO LAW GROUP**
4 2200 E. Bidwell Street, Ste. 100
5 Folsom, California 95630
6 Telephone: (916) 908-0714

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Attorneys for Defendant
L&S FRAMING, INC

1 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 Plaintiff Gerber Hernandez (“Plaintiff”) and Defendants L&S Construction Services, Inc.
3 and L&S Framing, Inc. (collectively, “Defendants,” and together with Plaintiffs, the “Parties”), by
4 and through their respective counsel of record, stipulate and jointly request as follows:

5 **WHEREAS**, on February 3, 2025, this Court granted Plaintiff’s Motion to Approve PAGA
6 Settlement (“Order Granting Plaintiff’s Motion to Approve PAGA Settlement”);

7 **WHEREAS**, in February 2025, while the Parties were working to begin the court-approved
8 settlement administration to deliver the aggrieved employees’ information and begin the notice
9 administration process, the Parties discovered that the Order Granting Plaintiff’s Motion to
10 Approve PAGA Settlement did not conform to the Parties’ PAGA Settlement Agreement.
11 Specifically, the approved Order Granting Plaintiff’s Motion to Approve PAGA Settlement states
12 that the PAGA Period is March 31, 2021 to September 3, 2024; however, the Parties’ PAGA
13 Settlement Agreement states that the PAGA Period is May 31, 2021 to September 3, 2024. A true
14 and correct copy of the Parties’ PAGA Settlement Agreement is attached to the Declaration of
15 Daniel J. Kramer in Support of Parties’ Joint Stipulation to Approve Amended [Proposed] Order
16 Granting Plaintiff’s Motion to Approve PAGA Settlement (“Kramer Declaration”) as Exhibit A.

17 **WHEREAS**, the Parties have since met and conferred and agreed to seek Court approval
18 of an amended Order Granting Plaintiff’s Motion to Approve PAGA Settlement.

19 **WHEREAS**, a redlined version of the amended Order Granting Plaintiff’s Motion to
20 Approve PAGA Settlement is attached as Exhibit B to the Kramer Declaration and a clean version
21 of the amended Order is attached thereto as Exhibit C.

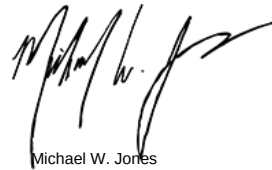
22 **WHEREAS**, the Parties respectfully request that the Court modify Paragraph 2 of Court’s
23 Order Granting Plaintiff’s Motion to Approve PAGA Settlement to conform to the Parties’ PAGA
24 Settlement Agreement and state the following: “The ‘PAGA Period’ is defined as the period from
25 May 31, 2021 to September 3, 2024.”

26 **WHEREAS**, upon approval of these documents, the Parties will proceed with the notice
27 process as otherwise described in the Court’s Order Granting Plaintiff’s Motion to Approve PAGA
28 Settlement;

~~PROPOSED~~ ORDER

The Court, having reviewed the Parties' Joint Stipulation to Approve Amended [Proposed] Order Granting Plaintiff's Motion to Approve PAGA Settlement, and good cause appearing, hereby approves the amended [Proposed] Order Granting Plaintiff's Motion to Approve PAGA Settlement attached as Exhibit C to the Declaration of Daniel J. Kramer in Support of Parties' Joint Stipulation to Approve Amended [Proposed] Order Granting Plaintiff's Motion to Approve PAGA Settlement.

IT IS SO ORDERED.



Michael W. Jones

DATE: April 18, 2025

Hon. Michael Jones
Placer County Superior Court

PROOF OF SERVICE

Hernandez v. L&S Construction Services, Inc., et al.
S-CV-0048880

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

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 rebecca.padilla@wilshirelawfirm.com.

On March 19, 2025, I served the foregoing **JOINT STIPULATION TO APPROVE AMENDED [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO APPROVE PAGA SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Jimmie E. Johnson (SBN 223344)
jjohnson@leonealberts.com

Brian A. Duus (SBN 263403)
bduus@leonealberts.com

Syreeta Shoals
sshoals@leonealberts.com

Ashley Reis
areis@leonealberts.com

Patrick Yanes
pyanes@leonealberts.com

LEONE ALBERTS & DUUS
1390 Willow Pass Rd., Ste. 700
Concord, California 94520
Telephone: (925) 974-8600
Facsimile: (925) 974-8601

Attorneys for Defendant
L&S Construction Services, Inc.

Adrian Hoppes (SBN 288477)

adrian@holdenlawgroup.com

HOLDEN LAW GROUP

1522 Lincoln Way
Auburn, California 95603-5010
Telephone: (530) 888-0901
Facsimile: (530) 888-0902

Attorneys for Defendant
L&S Framing, Inc.

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

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

Executed on March 19, 2025, at Los Angeles, California.



Rebecca Padilla