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Attorneys for Plaintiff, Gina Dantico

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

GINA DANTICO, an individual, and on
behalf of all aggrieved employees

Plaintiff,

vs.

EDGEWATER TOWERS CONDOMINIUMS
HOMEOWNERS ASSOCIATION, a
California common interest development
association; and DOES 1 through 50 inclusive

Defendants.

Case No. 22SMCV01372

Assigned for all purposes to:
Hon. Mark A. Young
Dept.: SM-M

**JOINT NOTICE OF SETTLEMENT
AND STIPULATION RE COURT
APPROVAL OF PAGA SETTLEMENT;
[Proposed] ORDER GRANTING LEAVE
TO SEEK COURT APPROVAL OF
PAGA SETTLEMENT BY
STIPULATION AND ORDER**

Complaint filed: August 18, 2022
Trial Date: September 9, 2024

WHEREAS, on July 26, 2022, Plaintiff GINA DANTICO (“Plaintiff”) submitted her Notice Letter under the Private Attorney Generals Act, Labor Code section 2698 et. seq. (“PAGA”) to Defendant EDGEWATER TOWERS CONDOMINIUMS HOMEOWNERS ASSOCIATION (“Defendant”) and the LWDA alleging the following violations at Defendant’s condominium complex: (1) Failure to Pay Wages and Overtime Compensation and Liquidated Damages (Lab. Code, §§ 510, 1194, 1194.2, and 1198); (2) Failure to Pay Minimum Wages and Liquidated Damages (Lab. Code, §§ 1118.12, 1194, 1194.2, 1197,

1 1197.1, and 1198); (3) Failure to Provide Meal Periods (Lab. Code, §§ 226.7 and 512,
2 subdivision (a), 516, and 1198, and Cal. Code Regs. tit. 8, § 11050, subd. (11)); (4) Failure
3 to Provide Rest Periods (Lab. Code, §§ 226.7, 516, and 1198, and Cal. Code Regs. tit. 8, §
4 11050, subd. (12)(A)); (5) Failure to Furnish Complete and Accurate Wage Statements and
5 Maintain Accurate Payroll Records (Lab. Code, § 226, subd. (a), 1174, subd. (d), and
6 1198); (6) Failure to Reimburse Business Expenses (Lab. Code, §§ 2800 & 2802); (7)
7 Failure to Pay Wages Upon Termination of Employment (Lab. Code, §§ 201, 202, and
8 203]; and (8) Violation of Labor Code section 208; and

9 WHEREAS, on August 18, 2022, Plaintiff filed a complaint against Defendant
10 alleging the wrongful conduct described above, including violations of the Labor Code and
11 seeking penalties under PAGA on behalf of all aggrieved employees; and

12 WHEREAS, after the filing of the complaint the parties engaged in extensive formal
13 and informal discovery with respect to the PAGA claims; and

14 WHEREAS, Plaintiff has ascertained through discovery that they are **nine (9)**
15 **potential aggrieved employees, including Plaintiff, with a total of 178 pay periods;** and

16 WHEREAS, Plaintiff and her counsel have considered Defendant's defenses to the
17 PAGA claims and the relative time and expense of continuing to prosecute this litigation in
18 light of the small number of potentially aggrieved employees; and

19 WHEREAS, on November 21, 2023, the parties participated in an all-day mediation
20 before Katherine J. Edwards, Esq.; and

21 WHEREAS, the parties desire to settle the PAGA claims in an economically
22 sensible manner for all concerned; and

23 WHEREAS, the parties have agreed to settle the PAGA claims alleged in the
24 complaint for a gross amount of \$10,000, subject to court approval, attorneys' fees of
25 \$3,333.33, litigation costs of \$613.67; and

26 WHEREAS, the remaining PAGA Penalties Fund of \$6,053 will be distributed as
27 follows: 75 percent (\$4,539.75) payable to the Labor and Workforce Development Agency
28

1 (LWDA) and 25 percent (\$1,513.25) payable to the aggrieved employees prorated based on
2 their numbers of work weeks.

3 WHEREAS, the parties have agreed that Plaintiff's counsel will administer the
4 PAGA Settlement due to the prohibitive cost of engaging a claims administrator for nine
5 (9) aggrieved employees.

6 NOW THEREFORE the parties ask, in the interest of promptly and economically
7 resolving the PAGA claims, that the court permit them to seek court approval of this PAGA
8 settlement by stipulation in lieu of a noticed motion.

9
10 IT IS SO STIPULATED.

11
12 Dated: December 22, 2023

THE LAW OFFICES OF DAVID R. GREIFINGER

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15 By: 
16 DAVID R. GREIFINGER
CALVIN A. MARSHALL
Attorneys for Plaintiff

17
18 Dated: December 22, 2023

LANDEGGER VERANO & DAVIS, ALC

19
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21 By: 
22 ALFRED J. LANDEGGER
23 ROXANA A. VERANO
24 Attorneys for Defendant
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[Proposed] ORDER

Having reviewed the parties’ joint stipulation and good cause being shown, the court hereby orders that the parties may seek approval of their PAGA settlement by stipulation and proposed order.

IT IS SO ORDERED

Dated: _____
Hon. Mark A. Young
Judge of the Superior Court

1
2 **PROOF OF SERVICE**

3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

4 I am employed in the State of California, County of Los Angeles. I am over the age
5 of 18 and not a party to the within lawsuit; my business address is 15515 W. Sunset
6 Boulevard, Unit 214, Pacific Palisades, CA 90272.

7 On **December 22, 2023**, I served the foregoing document described as **JOINT**
8 **NOTICE OF SETTLEMENT AND STIPULATION RE COURT APPROVAL OF**
9 **PAGA SETTLEMENT; [Proposed] ORDER GRANTING LEAVE TO SEEK COURT**
10 **APPROVAL OF PAGA SETTLEMENT BY STIPULATION AND ORDER**
11 on the interested parties in this action by placing [X] a true copy thereof on:

12 Alfred J. Landegger
13 Roxana A. Verano
14 Landegger Verano & Davis, ALC
15 15760 Ventura Blvd., Suite 1200
16 Encino, CA 91436
17 By electronic service to:
18 alfred@landeggeresq.com
19 roxana@landeggeresq.com

Labor and Workforce Development
Agency
(By Posting on the LWDA PAGA
Website)

20 David C. Swedelson
21 Melanie Bingham
22 SWEDELSON GOTTLIEB
23 11900 W. Olympic Blvd., Suite 700
24 Los Angeles, CA 90064
25 dcs@sghoalaw.com
26 mjb@sghoalaw.com

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

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

Executed on **December 23, 2023**, at Los Angeles County, California.

29 Calvin A. Marshall, Esq.
30 Type or Print Name

31 
32 Signature