

Ramin R. Younessi, Esq. (SBN 175020)
 Neda Tahoor, Esq. (SBN 358772)
LAW OFFICES OF RAMIN R. YOUNESSI
A PROFESSIONAL LAW CORPORATION
 3435 Wilshire Boulevard, Suite 2200
 Los Angeles, California 90010
 Telephone: (213) 480-6200
 Facsimile: (213) 480-6201

FILED
 Superior Court of California
 County of Los Angeles
08/25/2026

David W. Slayton, Executive Officer / Clerk of Court
 By: P. Herrera Deputy

Attorneys for Plaintiff,
 JULIO A. CASTILLO CONTRERAS, on behalf
 of himself, and also on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT

JULIO A. CASTILLO CONTRERAS, an
 individual, on behalf of himself, and also on
 behalf of all others similarly situated,

Plaintiffs,

v.

DCPE, INC., a California corporation; AD
 AND LOGISTICS LLC, a California limited
 liability company; and DOES 1 through 20,
 inclusive,

Defendants.

CLASS ACTION

Case No. 25STCV07930

Assigned to the Honorable Elihu M. Berle

**PLAINTIFF'S REQUEST FOR DISMISSAL OF
 CLASS AND PAGA ALLEGATIONS;
 DECLARATION OF NEDA TAHOOR;
 [PROPOSED] ORDER**

Action Filed: March 19, 2025
 Trial Date: None Set

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

Plaintiff JULIO A. CASTILLO CONTRERAS, an individual ("Plaintiff"), by and through his attorneys of record, hereby requests dismissal of the class allegations without prejudice as to any putative class member as alleged in his operative First Amended Complaint filed on June 2, 2025. Further, Plaintiff requests dismissal of the Private Attorneys General Act ("PAGA") claim without prejudice for any of the aggrieved employees as alleged in his operative Complaint. Plaintiff requests this Court enter the attached [Proposed] Order for Dismissal of Class and PAGA allegations without a hearing based on the attached declaration of Neda Tahoor pursuant to California Rule of Court 3.770.

1 Respectfully submitted,

2
3 DATED: August 19, 2026

**LAW OFFICES OF RAMIN R. YOUNESSI
A PROFESSIONAL LAW CORPORATION**

4
5 By:



Ramin R. Younessi, Esq.

Neda Tahoor, Esq.

Attorneys for Plaintiff,

JULIO A. CASTILLO CONTRERAS, on
behalf of himself, and also on behalf of all
others similarly situated.

DECLARATION OF NEDA TAHOOR

I, Neda Tahoor, do declare:

1. I am an attorney duly admitted to practice before this Court. I am associated with the LAW OFFICES OF RAMIN R. YOUNESSI, counsel for Plaintiff herein. I have personal knowledge of the facts set forth herein and if called upon as a witness could and would testify competently thereto. I file this declaration in support of Plaintiff's Request for Dismissal of Class and PAGA allegations in accordance with California Rule of Court 3.770.

2. Plaintiff originally filed the Complaint in this action on March 19, 2025 as a class action complaint. Plaintiff filed his operative First Amended Complaint adding including a cause of action for penalties under the Private Attorneys General Act ("PAGA") on June 2, 2025.

3. Plaintiff requests dismissal of the class allegations without prejudice as to any putative class member as alleged in his operative Complaint. Further, Plaintiff requests dismissal of the Private Attorneys General Act ("PAGA") claim without prejudice for any of the aggrieved employees as alleged in his Complaint.

4. Plaintiff was employed by Defendants as a delivery driver of auto parts from October 2005 to July 19, 2024.

5. Plaintiff brought this action against Defendant AD & Logistics LLC ("AD") and Defendant DCPE, Inc. ("DCPE"). Defendant AD filed its answer to Plaintiff's First Amended Complaint on July 17, 2025.

6. Defendant DCPE, Inc., was personally served on April 1, 2025.

7. On July 25, 2025, Plaintiff filed a Doe Amendment to include John Munoz as a defendant. Defendant Munoz was served by substituted service on July 31, 2025. On October 2, 2025, Plaintiff filed a Doe Amendment to include Terri Turner as a defendant. Plaintiff served Terri Turner on December 3, 2025. To this day, Plaintiff has not heard from any counsel purporting to represent DCPE, John Munoz, or Terri Turner.

8. On June 12, 2026, defense counsel for AD filed its Motion to Be Relieved as Counsel. This Motion was granted on July 10, 2026, leaving AD unrepresented in the present matter.

1 9. On June 17, 2026, AD’s bankruptcy counsel served Plaintiff a Notice of Stay and Notice
2 of Chapter 7 Bankruptcy filing, notifying Plaintiff that AD had filed for bankruptcy in the U.S.
3 Bankruptcy Court in the Central District of California, case no, 2:26-bk-16052-NB.

4 10. On August 10, 2026, Plaintiff filed Requests for Entry of Default as to Defendants
5 DCPE, John Munoz, and Terri Turner. On August 12, 2026, the Court rejected these filings.

6 11. Neither Plaintiff nor Plaintiff’s counsel has received any kind of consideration, monetary
7 or otherwise, in exchange for the dismissal of class or representative PAGA allegations in this action.
8 Following dismissal of class and representative PAGA allegations, Plaintiff will seek to dismiss his
9 entire action outright.

10 12. Plaintiff sought, but did not receive any discovery to identify other aggrieved employees
11 or notify other aggrieved employees about the assertion or existence of his lawsuit generally, but
12 specifically his assertion of a representative cause of action under the PAGA, and has not sought the
13 express consent of other aggrieved employees to pursue this lawsuit on their behalf.

14 13. The Court may determine that the rights of other aggrieved employees will not be
15 prejudiced by the dismissal of PAGA in this action for two significant reasons. First, unlike class
16 actions where the class plaintiff prosecutes the action on behalf of the putative class members, Plaintiff
17 here did not prosecute the action on behalf of the other aggrieved employees. In PAGA claims, the
18 plaintiff employee prosecutes on behalf of the Labor Commission; the other aggrieved employees have
19 no private right of action in those penalties and no entitlement to them. (*Rope v. Auto-Chlor System of*
20 *Washington, Inc.* (2013) 220 Cal.App.4th 635, 650¹ [“In PAGA, the Legislature created an enforcement
21 mechanism for aggrieved employees to file representative actions to recover penalties in cases in which
22 there is no private cause of action as an alternative to enforcement by the Labor Commissioner”]; *Arias*
23 *v. Superior Court* (2009) 46 Cal.4th 969, 980–87, 95 Cal.Rptr.3d 588, 209 P.3d 923 [PAGA suit is a
24 representative action and need not be brought as a class action].) Second, there has been no discovery as
25 to the identities of other aggrieved employees, nor has notice of this action been provided to other
26 aggrieved employees. Thus, Plaintiff is not aware of any other aggrieved employees who have any

28 ¹ Superseded by statute on unrelated ground.

1 expectations of recovery of any kind in this case, and to the extent any of them wish, in the future, to
2 pursue their own claims, they have the right to do that.

3 14. Plaintiff's request to dismiss the representative claims under the PAGA, without
4 prejudice, shall be served to the California Labor and Workforce Development Agency ("LWDA") at
5 the same time that it is submitted to this Court.

6 15. Accordingly, Plaintiff requests that the Court dismiss Plaintiff's twelfth cause of action in
7 his operative Complaint for PAGA penalties without prejudice.

8 16. The Court has not yet certified this class and as such, notice to putative class members or
9 aggrieved employees is not required as the dismissal will not prejudice any of them.

10 17. For all the reasons set forth above, the proposed dismissal of this action meets all of the
11 applicable standards for dismissal of a class action, and thus, the Request for Dismissal and order
12 thereon should be approved by this Court.

13 I declare under penalty of perjury under the laws of the State of California that the foregoing is
14 true and correct, and that this Declaration is made on August 19, 2026 at Los Angeles, California.

15
16 

17 _____
18 Neda Tahoor
19
20
21
22
23
24
25
26
27
28

~~PROPOSED~~ ORDER

The Court, having considered Plaintiff's Request for Dismissal, the declaration of Neda Tahoor, and all legal authorities in support thereof, and good cause appearing therefore, **HEREBY ORDERS:**

1. That class allegations alleged in Complaint are dismissed without prejudice,
2. That Plaintiff's class allegations are dismissed without prejudice because Plaintiff did not and has not sought class certification, and
3. Plaintiff's twelfth cause of action for penalties pursuant to the California Private Attorneys General Act ("PAGA") as alleged in the Complaint is dismissed without prejudice.

IT IS SO ORDERED.

DATED: 08/25/2026



Elihu M. Berle

Elihu M. Berle / Judge

THE HONORABLE ELIHU M. BERLE
JUDGE OF THE SUPERIOR COURT

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 3435 Wilshire Boulevard, Suite 2200, Los Angeles, California 90010.

On August 19, 2026, I served the foregoing document described as **PLAINTIFF'S REQUEST FOR DISMISSAL OF CLASS AND PAGA ALLEGATIONS; DECLARATION OF NEDA TAHOOR; [PROPOSED] ORDER** on the interested parties in this action as follows:

☒ By emailing true copies addressed to each addressee as follows:

Keith A. Jacoby, Esq.
LITTLER MENDELSON, P.C.
2049 Century Park East, 5th Floor
Los Angeles, California 90067

Attorney for Defendant
AD AND LOGISTICS LLC

[kjacob@littler.com](mailto:kjacoby@littler.com)
(VIA CASE ANYWHERE ONLY)

John Munoz
2683 Via de la Valle Ste G-506
Del Mar, CA 92014
(VIA U.S. MAIL ONLY)

Defendant

Terri Turner
c/o DCPE, INC.
2683 Via de la Valle Ste G-506
Del Mar, CA 92014
(VIA U.S. MAIL ONLY)

Defendant
DCPE, INC.

Terri Turner
2683 Via de la Valle Ste G-506
Del Mar, CA 92014-1911

Defendant

California Labor & Workforce Development
Agency
Attn. PAGA Administrator
1515 Clay Street, Ste. 801
Oakland, CA 94612
(VIA ELECTRONIC SERVICE ONLY)

1 ☒ BY ELECTRONIC MAIL: Pursuant to Code of Civil Procedure §§ 1010.6(a)(2), 1010.6(e), and
2 1013(g), and/or California Rules of Court 2.251(b)(1)-(2), I transmitted a copy of the
aforementioned document to each addressee above to the email address(es) indicated.

3 ☒ BY ELECTRONIC SERVICE: Pursuant to SB 836, I electronically filed a copy of the
aforementioned document with California Labor & Workforce Development Agency Only.

4 Executed on August 19, 2026, at Los Angeles, California.

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

7
8 Elizabeth Pineda

Elizabeth Pineda