

DANIEL F. GAINES, ESQ. SBN 251488  
daniel@gaineslawfirm.com  
ALEX P. KATOFISKY, ESQ. SBN 202754  
alex@gaineslawfirm.com  
**GAINES & GAINES, APLC**  
4550 East Thousand Oaks Boulevard, Suite 100  
Westlake Village, CA 91362  
Telephone: (818) 703-8985  
Facsimile: (818) 703-8984

Attorneys for Plaintiff Mercedes Cervantes, on behalf of herself and all “aggrieved employees” pursuant to Labor Code § 2698 *et seq.*

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

MERCEDES CERVANTES, on behalf of  
herself and all “aggrieved employees” pursuant  
to Labor Code § 2698 *et seq.*,

Plaintiff,

v.

PLAN-IT LIFE, INC., a California  
corporation, and DOES 1 through 10,  
inclusive,

Defendants.

CASE NO: CVRI2205519

*Assigned to the Hon. Harold Hopp, Dept. 1*

**PLAINTIFF’S REQUEST FOR DISMISSAL  
OF REPRESENTATIVE ACTION;  
[PROPOSED] ORDER**

[Filed Concurrently: Declaration of Daniel F. Gaines in Support of Request for Dismissal of Representative Action; Declaration of Mercedes Cervantes in Support of Request for Dismissal of Representative Action]

*Complaint Filed: December 20, 2022*

1 **REQUEST FOR DISMISSAL**

2 Based on the facts set forth in the concurrently-filed Declaration of Daniel F. Gaines, Plaintiff  
3 Mercedes Cervantes (“Plaintiff”) hereby requests that the Court enter a dismissal of this action ***WITH***  
4 ***PREJUDICE*** as to Plaintiff’s individual claims and dismissal ***WITHOUT PREJUDICE*** as to the  
5 representative action claims.

6 Dated: September 11, 2024

Respectfully submitted,  
GAINES & GAINES, APLC

7  
8 By:

  
\_\_\_\_\_  
DANIEL F. GAINES  
Attorneys for Plaintiff

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10  
11 **[PROPOSED] ORDER**

12 Based on the Request for Dismissal and the concurrently-filed Declaration of Daniel F.  
13 Gaines, it is hereby ORDERED that this action is dismissed WITH PREJUDICE as to Plaintiff’s  
14 individual claims and is dismissed WITHOUT PREJUDICE as to the representative action claims.  
15 This dismissal does not extend to or otherwise affect the ability of an aggrieved employee to bring  
16 individual and/or representative claims against the Defendant for any alleged violations of the Labor  
17 Code.

18  
19 Dated: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT