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Attorneys for Plaintiff,
CASSANDRA HALL-LEPREVOST

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CASSANDRA HALL-LEPREVOST, an
individual, and on behalf of all aggrieved
employees

Plaintiff,

vs.

CANNACO RESEARCH CORPORATION, a
California corporation; ANN LAWRENCE
ATHEY, an individual; VFARM1509, INC., a
California corporation; and DOES 2 through
50 inclusive

Defendants.

Case No. 23STCV00756

Hon. Robert B. Broadbelt, Dept. 53

**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: January 13, 2023
Trial Date: None Set

WHEREAS, on October 27, 2022, Plaintiff CASSANDRA HALL-LEPREVOST (“Plaintiff”) submitted her Notice Letter under the Private Attorney Generals Act, Labor Code section 2698 et. seq. (“PAGA”) to Defendants CANNACO RESEARCH CORPORATION, ANN LAWRENCE ATHEY, and the LWDA alleging the following violations at Defendant’s condominium complex: (1) Failure to Pay 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, 1197.1, and 1198); (3) Failure to Provide Meal Periods (Lab. Code, §§ 226.7

1 and 512, subdivision (a), 516, and 1198, and Cal. Code Regs. tit. 8, § 11050, subd. (11));
2 (4) Failure to Provide Rest Periods (Lab. Code, §§ 226.7, 516, and 1198, and Cal. Code
3 Regs. tit. 8, § 11050, subd. (12)(A)); (5) Failure to Furnish Complete and Accurate Wage
4 Statements and Maintain Accurate Payroll Records (Lab. Code, § 226, subd. (a), 1174,
5 subd. (d), and 1198); (6) Failure to Reimburse Business Expenses (Lab. Code, §§ 2800 &
6 2802); (7) Improper Receipt and Distribution of Gratuities (Lab. Code, § 351); (8) Failure
7 to Provide Adequate Seating (Lab. Code, § 1198; Cal. Code Regs., tit. 8, § 11040, subd.
8 (14); (9) Failure to Pay Wages Upon Termination of Employment (Lab. Code, §§ 201, 202,
9 and 203]; and (10) Violation of Labor Code section 208; and

10 WHEREAS, on January 10, 2023, Plaintiff submitted an amended PAGA Notice
11 Letter to VFARM1509, Inc. and to the LWDA alleging the same violations (CANNACO
12 RESEARCH CORPORATION, ANN LAWRENCE ATHEY, and VFARM1509, Inc. are
13 collectively referred to as “Defendants”); and

14 WHEREAS, on January 13, 2023, Plaintiff filed a complaint against Defendants
15 CANNACO RESEARCH CORPORATION, ANN LAWRENCE ATHEY alleging the
16 wrongful conduct described above, including violations of the Labor Code on behalf of
17 Plaintiff individually only and seeking penalties under PAGA on behalf of all aggrieved
18 employees (all hourly California employees who have worked between October 27, 2021
19 and the present); and

20 WHEREAS, on March 17, 2023, Plaintiff added VFARM1509, Inc. as a defendant;
21 and

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

24 WHEREAS, Plaintiff has ascertained through discovery that they are 90 potential
25 aggrieved employees, including Plaintiff, with a total of 1,940 pay periods; and

26 WHEREAS, Plaintiff and her counsel have considered Defendant’s defenses to the
27 PAGA claims and the relative time and expense of continuing to prosecute this litigation in
28 light of the small number of potentially aggrieved employees; and

1 WHEREAS, on November 6, 2023, the parties participated in an all-day mediation
2 before Kevin T. Barnes, Esq.; and

3 WHEREAS, after the parties were unable to settle this case at mediation, with the
4 assistance of Mr. Barnes, the parties exchanged multiple counteroffers before reaching the
5 agreement before this Court for approval; and

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

8 WHEREAS, the parties have agreed to settle the PAGA claims alleged in the
9 complaint for a gross amount of \$25,000, subject to court approval, attorneys' fees and
10 costs of \$5,000, settlement administrator costs of \$3,832, and an incentive award to
11 Plaintiff of \$3,000; and

12 WHEREAS, the remaining PAGA Penalties Fund of \$13,168 will be distributed as
13 follows: 75 percent (\$9,876) payable to the Labor and Workforce Development Agency
14 (LWDA) and 25 percent (\$3,292) payable to the aggrieved employees prorated based on
15 their numbers of work weeks.

16 WHEREAS, the parties have agreed that Simpluris will administer the PAGA
17 settlement; and

18 WHEREAS, Plaintiff has settled her individual Labor Code claims with Defendants
19 under the terms of a confidential settlement agreement and agrees to dismiss her individual
20 claims following the approval and resolution of the PAGA settlement; and

21 WHEREAS, the parties request that the Court retain jurisdiction over the parties to
22 enforce the individual and PAGA Settlement Agreements under Code of Civil Procedure
23 section 664.6.

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

4 IT IS SO STIPULATED.

5 Dated: February 2, 2024

THE LAW OFFICES OF DAVID R. GREIFINGER

6
7 By: 
8 DAVID R. GREIFINGER
9 CALVIN A. MARSHALL
10 *Attorneys for Plaintiff*

11 Dated: February 2, 2024

CONSTAGY, BROOKS, SMITH & PROPHETE, LLP

12 By: 
13 REGINA A. MUSOLINO
14 *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. Robert B. Broadbelt
Judge of the Superior Court

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

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

On **February 2, 2024**, I served the foregoing document described as **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** on the interested parties in this action by placing **[X]** a true copy thereof on:

Nestor Barrero, Esq.
Regina A. Musolino, Esq.
Erik B. Von Zeipel
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Attorneys for Defendants
Cannaco Research Corporation,
Ann Lawrence Athey, and
VFARM1509, Inc.

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

[X] (BY E-MAIL ONLY): I hereby certify that this document was served from Los 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 **February 2, 2024**, at Los Angeles County, California.

Calvin A. Marshall, Esq.

Type or Print Name



Signature