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Attorneys for Plaintiff JORGE VIDAL on
behalf of himself and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding Special Title
(Rule 3.550)

Judicial Council Coordination Proceeding No.:
JCCP 4780

EXPRESS MESSENGER SYSTEMS WAGE
AND HOUR CASES

Hon. Kenneth R. Freeman
Dept.:14

Included Actions:

Vidal v. Subcontracting Concepts, Inc., et al.
Los Angeles County Superior Court No.
BC524083

**PLAINTIFF'S REQUEST FOR
DISMISSAL OF REPRESENTATIVE
CLAIMS; DECLARATION OF ROMAN
SHKODNIK IN SUPPORT THEREOF;
[PROPOSED] ORDER**

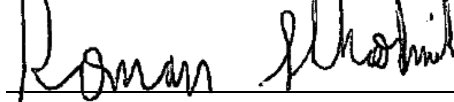
1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 Plaintiff JORGE VIDAL ("Plaintiff") hereby requests that the above-titled action be
3 dismissed with prejudice as to Plaintiff's individual claims and without prejudice as to the claims
4 of any Aggrieved Employees under Labor Code § 2699, *et seq.*, and approve Plaintiff's individual
5 settlement.

6 Defendant SUBCONTRACTING CONCEPTS, LLC, dba SCI, a Delaware corporation
7 and ONTRAC, an entity of unknown form (collectively "Defendants") do not oppose this Request
8 for Dismissal.

9 Dated: August 16, 2018

10 DAVID YEREMIAN & ASSOCIATES, INC.

11 

12 David Yeremian
13 Roman Shkodnik

14 Attorneys for Plaintiff JORGE VIDAL, on behalf of
15 himself and all others similarly situated
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DECLARATION OF ROMAN SHKODNIK

I, Roman Shkodnik, declare:

1. I am an associate attorney of David Yeremian & Associates, Inc., attorney of record for Plaintiff JORGE VIDAL ("Plaintiff") in this action. I have personal knowledge of the facts herein. If called as a witness, I could and would competently testify to those facts under oath.

2. Plaintiff commenced this class action against Defendant SUBCONTRACTING CONCEPTS, LLC, dba SCI, a Delaware corporation and ONTRAC, an entity of unknown form (collectively "Defendants"), on October 4, 2013. The operative complaint alleged causes of action on behalf of all nonexempt employees for failure to pay Minimum Wage, failure to pay wages and overtime under Labor Code § 510, meal-period liability under Labor Code § 226.7, rest-break liability under Labor Code § 226.7, reimbursement of necessary expenditures under Labor Code § 2802, violation of Labor Code § 221, violation of Labor Code § 226(a), violation of Labor Code §§ 203, and violation of Business & Professions Code § 17200. On March 6, 2014, Plaintiff filed a first amended complaint adding Labor Code Private Attorney General Act penalties pursuant to Labor Code § 2699 ("PAGA"). On June 1, 2015, Defendants filed a motion to compel arbitration and On August 21, 2015, the Court dismissed without prejudice Plaintiff's class claims and stayed Plaintiff's PAGA claim pending resolution of Plaintiff's arbitrable claims.

3. The parties pursued settlement discussions and reached a settlement agreement. In light of the foregoing, Plaintiff chose to pursue settlement of his individual claims and no longer desired to serve as the class representative.

4. The parties then agreed to pursue a settlement of Plaintiff's individual wage claims. Plaintiff's counsel estimated his individual damages to be valued at over \$50,000.00. However, the parties were successfully able to compromise and settle Plaintiff's claims in this action for \$24,000.00 in exchange for the dismissal of Plaintiff's individual claims with prejudice, and without prejudice as to the claims of any Aggrieved Employees under Labor Code § 2699, *et seq.* There is no other compensation of any kind being paid pursuant to the settlement.

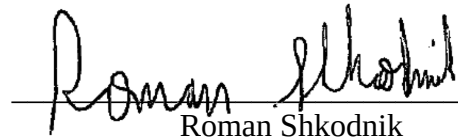
5. Attorney's fees payable from this settlement amount to our office in no way undermined our fiduciary duties to the putative class or Aggrieved Employees. Defendants have

1 not offered, nor has Plaintiff received, any direct or indirect consideration for Plaintiff to dismiss
2 the representative claim.

3 6. On August 16, 2018 Plaintiff's counsel submitted notice of Plaintiff's request for
4 dismissal of the representative claims. Exhibit 1 is a true and correct copy of the notice to the
5 California Labor Workforce and Development Agency of Plaintiff's request for dismissal of the
6 representative claims sent on August 16, 2018.

7 7. Plaintiff has not served notice on the Aggrieved Employees and Plaintiff's counsel
8 is unaware of anyone who has relied upon the existence of this action in lieu of pursuit of their
9 individual or representative claims against Defendants. The dismissal of Plaintiff's representative
10 claims without prejudice will not result in prejudice to any of the Aggrieved Employees.

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12 I declare under penalty of perjury under the laws of the State of California that the above is
13 true and correct. Executed this 16th day of August, 2018, at Glendale, California.

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16 Roman Shkodnik

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Coordination Proceeding Special Title (Rule 3.550)	Judicial Council Coordination Proceeding No.: JCCP 4780
EXPRESS MESSENGER SYSTEMS WAGE AND HOUR CASES	Hon. Kenneth R. Freeman Dept.:14
Included Actions: <i>Vidal v. Subcontracting Concepts, Inc., et al.</i> Los Angeles County Superior Court No. BC524083	[PROPOSED] ORDER RE: DISMISSAL OF CLASS AND REPRESENTATIVE CLAIMS

Based on Plaintiff Jorge Vidal’s Request for Dismissal and the Declaration of Roman Shkodnik in support thereof, the Court orders the above-titled action dismissed with prejudice as to Plaintiff’s individual claims and orders the above-titled action dismissed without prejudice as to the claims of the Aggrieved Employees.

IT IS SO ORDERED.

Dated: _____

HON. KENNETH R. FREEMAN JUDGE OF THE
SUPERIOR COURT