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Attorneys for Plaintiff Victoria Maldonado, on behalf of herself and on behalf of all similarly situated individuals

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BENITO

VICTORIA MALDONADO, on behalf of
herself and on behalf of all similarly situated
individuals,

Plaintiff,

v.

LAST STOP LOGISTICS, LLC, a California
limited liability company, and DOES 1 through
10, inclusive,

Defendants.

CASE NO: CV-23-00027

Assigned to the Hon. Omar Rodriguez, Dept. 1

**PLAINTIFF'S REQUEST FOR DISMISSAL
OF CLASS AND REPRESENTATIVE
ACTION; [PROPOSED] ORDER**

[Filed Concurrently: Declaration of Daniel F.
Gaines in Support of Request for Dismissal of
Class and Representative Action]

Complaint Filed: February 9, 2023

FAC Filed: June 21, 2023

1 **REQUEST FOR DISMISSAL**

2 Based on the facts set forth in the concurrently-filed Declaration of Daniel F. Gaines, Plaintiff
3 Victoria Maldonado (“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 class and representative action claims.

6 Dated: August 14, 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 class and representative action
15 claims.

16
17 Dated: _____

JUDGE OF THE SUPERIOR COURT

1 **PROOF OF SERVICE AND CERTIFICATION**

2 I am employed in the County of Ventura, State of California. I am over the age of 18 and not a party to the
3 within action; my business address is 4550 East Thousand Oaks Boulevard, Suite 100, Westlake Village, CA 91362.

4 _____ (For messenger) my business address is:

5 On August 14, 2024, I served the foregoing document described as **PLAINTIFF'S REQUEST FOR**
6 **DISMISSAL OF CLASS AND REPRESENTATIVE ACTION; [PROPOSED] ORDER** on the interested parties in
7 this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

8 Tim L. Johnson, Esq.

9 tim.johnson@ogletreedeakins.com

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16 **OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.**

17 4600 La Jolla Village Drive, Suite 900

18 San Diego, CA 92122

19 Cc: lisa.bernard@ogletree.com

20 alicia.martinez@ogletreedeakins.com

21 _____ (BY ☐ U.S. MAIL/ BY ☐ CERTIFIED MAIL, RETURN RECEIPT REQUESTED) The sealed envelope was
22 mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection
23 and processing correspondence for mailing. It is deposited with United States postal service on that same
24 day in the ordinary course of business. I am aware that on motion of party served, service is presumed
25 invalid if postal cancellation date or postage meter date is more than one day after date of deposit for
26 mailing in affidavit.

27 _____ (BY FEDERAL EXPRESS OR OTHER OVERNIGHT SERVICE) I deposited the sealed envelope in a box or
28 other facility regularly maintained by the express service carrier or delivered the sealed envelope to an
authorized carrier or driver authorized by the express carrier to receive documents.

29 X (BY ELECTRONIC SERVICE) The above-stated document was submitted for service by electronic
transmission via email on the counsel of record listed above..

30 X (UPLOADED TO LWDA WEB PORTAL) I caused the above-described documents to be delivered to the Labor
31 & Workforce Development Agency via online process at the PAGA Filing website (www.dir.ca.gov)
32 in accordance with the procedure imposed by the LWDA.

33 I certify that the above document was printed on recycled paper.

34 I declare under penalty of perjury that the foregoing is true and correct.

35 Executed on August 14, 2024, at Westlake Village, California.

36 /s/ Amelia Booth

37 AMELIA BOOTH