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17 Attorneys for Plaintiff
18 MAGDALENA DAHLBACK

19
20 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
21 **COUNTY OF LOS ANGELES**
22

23 MAGDALENA DAHLBACK, an individual,

24 Plaintiff,

25 vs.

26 MACIAS GINI & O'CONNELL LLP, a
27 California limited liability partnership; and
28 DOES 1 through 50 inclusive

Defendants.

Case No. 23STCV07142

Hon. Kristin S. Escalante, Dept. SSC 2

**DECLARATION OF CALVIN A.
MARSHALL IN SUPPORT OF
REQUEST FOR DISMISSAL OF PAGA
ACTION WITHOUT PREJUDICE**

**(Submitted with 1) Request For Dismissal
of PAGA Action Without Prejudice; and,
2) Proposed Order)**

Complaint filed: May 3, 2023

Trial Date: None Set

1 I, Calvin A. Marshall declare:

2 1. I am an attorney, licensed to practice before this Court. Unless the context indicates
3 otherwise, I have personal knowledge of the facts stated in this declaration, know them to be true, and
4 could and would testify to those facts if called as a witness.

5 2. I am an attorney for Plaintiff MAGDALENA DAHLBACK ("Plaintiff") in the above-
6 captioned matter.

7 3. On May 11, 2023, Plaintiff filed her First Amended Complaint For Damages and
8 Injunctive Relief; Enforcement Action Under The Private Attorneys General Act, California Labor
9 Code § 2698, et seq. ("FAC") as against Defendant MACIAS GINI & O'CONNELL LLP, a
10 California corporation ("Defendant"), alleging individual claims for violations of the Labor Code, as
11 well as an Eighth Cause of Action for violations of the Labor Code on behalf of all aggrieved
12 employees under the Private Attorneys General Act ("PAGA") (Lab. Code, § 2698 et seq.).

13 4. In light of the Court's January 11, 2024 Order granting Defendant's Motion to Compel
14 Arbitration, on January 23, 2024, Plaintiff initiated an arbitration of her claims before Judicial
15 Arbitration and Mediation Services, Inc.

16 5. Through the arbitration, it came to light that Plaintiff's claims were likely unique to
17 her, in that Defendant had made accommodations for Plaintiff to work from home. Additional matters
18 came to light in the arbitration that, in the Parties collective opinion, allowed resolution of Plaintiff's
19 individual claims, while not prejudicing the rights of other employees who felt aggrieved to proceed
20 on their own behalf with their PAGA claims. In this regard, counsel for Plaintiff came to the opinion
21 that representative PAGA claims were no longer viable.

22 6. As a result of very protracted negotiations, which included a mediation before
23 Katherine J. Edwards, Esq on July 19, 2024, the parties have entered into a settlement agreement
24 under which the parties have agreed to the dismissal of Plaintiff's PAGA claims **without prejudice**.

25 7. No notice of this action has been given to any aggrieved employee.

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28 ///

1 8. Notice of this Request has been forwarded to the Labor and Workforce Development
2 Agency (LWDA).

3 I declare under penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct.

5 DATED: May 7, 2025



Calvin A. Marshall

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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 26565 Agoura Road, Suite 200 Calabasas, CA 91302.

On **May 7, 2025**, I served the foregoing document described as: **DECLARATION OF CALVIN A. MARSHALL IN SUPPORT OF REQUEST FOR DISMISSAL OF PAGA ACTION WITHOUT PREJUDICE** on the interested parties in this action by placing **[X]** a true copy thereof on:

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

Bruce M. Timm
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*Attorneys for Defendant,
MACIAS GINI & O'CONNELL LLP*

[] (BY MAIL): as follows: I deposited the envelopes for mailing in the ordinary course of business at Los Angeles County, California. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice, the sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business, with postage thereon fully prepaid at Los Angeles County, California.

[X] BY E-MAIL: 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 **May 7, 2025**, at Los Angeles County, California.

Calvin A. Marshall, Esq.
Type or Print Name


Signature