

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

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

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **FOR THE COUNTY OF SAN BERNARDINO**

9 CARMEN DIAZ, on behalf of herself and all
10 “aggrieved employees” pursuant to Labor
Code § 2698 *et seq.*,

11 Plaintiff,

12 v.

13 NOLA GOLDEN CORRAL LLC, a California
14 limited liability company, and DOES 1 through
15 10, inclusive,

16 Defendants.

CASE NO: CIVSB2316110

Assigned to the Hon. Donald Alvarez, Dept. 23

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

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

Complaint Filed: July 12, 2023

1 **REQUEST FOR DISMISSAL**

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

6 Dated: January 8, 2025

Respectfully submitted,
GAINES & GAINES, APLC

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8 By: /s/ Daniel F. Gaines
9 DANIEL F. GAINES
10 Attorneys for Plaintiff

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 WITHOUT PREJUDICE as to the PAGA representative claims.

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16 Dated: _____

JUDGE OF THE SUPERIOR COURT

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(For messenger) my business address is:

Paul J. Bauer, Esq.
SAGASER, WATKINS & WIELAND PC
5260 Palm Ave., Suite 400
Fresno, CA 93704
[**paul@sw2law.com**](mailto:paul@sw2law.com)

_____ (BY FEDERAL EXPRESS OR OTHER OVERNIGHT SERVICE) I deposited the sealed envelope in a box or 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.

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

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

Executed on January 8, 2025, at Westlake Village, California.

/s/ Amelia Booth
AMELIA BOOTH