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9 Attorneys for Plaintiff,
10 Richard Gonzales

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **IN AND FOR THE COUNTY OF SONOMA**

13 Richard Gonzales,

14 Plaintiff,

15 vs.

16 Clear Blue Energy Corporation and DOES 1-
17 25.

18 Defendants.

19 **Case No. SCV-273742**

20 **NOTICE OF MOTION AND MOTION**
21 **REQUESTING DISMISSAL OF ENTIRE**
22 **ACTION**

23 *[Filed concurrently with Memorandum of*
24 *Points and Authorities in Support of*
25 *Plaintiff's Request for Dismissal of Entire*
26 *Action; Declaration of Harris Emran, Esq. In*
27 *Support of Plaintiff's Request for Dismissal*
28 *of Entire Action; [Proposed] Order*
Dismissing Entire Action]

Hearing Date:
Time: 3:00 PM
Dept: 17
Hon. Jane Gaskell

Complaint Filed: July 19, 2023
Trial Date: Not yet set

29 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD: PLEASE TAKE**
30 **NOTICE THAT** on _____ at 3:00 p.m., or as soon thereafter as the matter
31 may be heard, in Department 17 of the above-entitled Court, Plaintiff Richard Gonzales will
32 respectfully request the Court's approval of the proposed and unopposed Dismissal of Entire Action,

1 including dismissal of Plaintiff's Twelfth Cause of Action for civil penalties under the Labor Code
2 Private Attorney General Act (i.e., Labor Code section 2698 et seq., "PAGA").

3 This motion is made pursuant to California Code of Civil Procedure section 581 (b)(1),
4 which provides "[a]n action may be dismissed ... with or without prejudice, upon written request of
5 the plaintiff ... at any time before the actual commencement of trial..." and on the basis that the
6 parties have reached and fully executed an individual settlement agreement in the above-entitled
7 case that dismisses Plaintiff's individual claims with prejudice. One aspect of Plaintiff's claims
8 included a demand for relief under PAGA which requires court approval pursuant to Labor Code
9 §2699(s). Good cause exists for the Court to grant this unopposed Motion, as Plaintiff did not settle
10 the representative PAGA Claim, and his individual settlement agreement (attached to this
11 unopposed Motion) is not releasing any claims on behalf of the State of California or any Aggrieved
12 Employees. Thus, the parties seek court's approval of the individual settlement and dismissal of
13 PAGA claims without prejudice so that the matter may be dismissed entirely pursuant to the
14 settlement of the parties.

15 This Motion is based on this notice, the Memorandum of Points and Authorities in Support
16 of Dismissal, the Declaration of Harris Emran, Esq., as well as all records on file with this Court
17 and such evidence or oral argument as may be presented at the hearing.

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19 Dated: January 12, 2026

EMRAN LAW FIRM

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21 By: Harris Emran
22 Harris Emran
23 Attorney for PLAINTIFF and OTHER
24 AGGRIEVED EMPLOYEES
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