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5 Attorneys for Plaintiff,  
 JOSE MANUEL CHAVEZ

**FILED**  
 Superior Court of California  
 County of Los Angeles

07/10/2025

David W. Slayton, Executive Officer / Clerk of Court

By: \_\_\_\_\_ E. Perez Deputy

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 8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 9 **FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

10 JOSE MANUEL CHAVEZ, an individual,  
 11  
 Plaintiff,

12 v.

13 HOF'S HUT RESTAURANTS, INC., dba  
 14 LUCILLE'S SMOKEHOUSE BAR-B-QUE a  
 15 corporation; and DOES 1 through 20, inclusive,  
 Defendants.

Case No.: 23STCV27970

*Assigned to the Honorable Judge Kevin C. Brazile,  
 Department 20.*

**JOINT STIPULATION AND [PROPOSED]  
 ORDER RE: DISMISSAL OF PLAINTIFF'S  
 INDIVIDUAL PAGA CLAIMS WITH  
 PREJUDICE AND HIS REPRESENTATIVE  
 PAGA CLAIMS WITHOUT PREJUDICE**

Action filed: November 15, 2023  
 Arbitration Date: January 13, 2026

19 Plaintiff Jose Manuel Chavez, an individual ("Plaintiff"), by and through his attorneys of record,  
 20 Law Offices of Ramin R. Younessi, a Professional Law Corporation, and Defendants Hof's Hut  
 21 Restaurants, Inc., a California corporation, d/b/a/ Lucille's Smokehouse Bar-B-Que (hereinafter  
 22 collectively referred to as "Defendants"), hereby stipulate and agree as follows:

23 WHEREAS, a settlement in this case was reached on May 12, 2025;

24 WHEREAS, on May 12, 2025, the Parties reached a mutual agreement to resolve EMPLOYEE's  
 25 Claims and agreed that the PAGA Claim should be resolved, without any admission of fault or liability,  
 26 by Court approved dismissal. The Parties reached this Agreement only after extensive investigation, and  
 27 it is contingent on the Court dismissing the PAGA Claims as described herein.

1 WHEREAS the parties reached an agreement to resolve Plaintiff's individual claims for a  
2 confidential amount which does not include any resolution of Plaintiff's Private Attorney General Act  
3 ("PAGA") claims.

4 WHEREAS, Plaintiff no longer wishes to pursue the PAGA cause of action.

5 WHEREAS, Plaintiff has not sought the express consent of other aggrieved employees to pursue  
6 this lawsuit on their behalf.

7 WHEREAS, Plaintiff has not given other aggrieved employees the opportunity to opt-out of  
8 Plaintiff's representation in this matter.

9 WHEREAS, this stipulation to dismiss the PAGA claims shall be served to the California Labor  
10 Workforce ("LWDA") at the same time that it is submitted to this Court.

11 WHEREAS, this Court may determine that the rights of other aggrieved employees will not be  
12 prejudiced for two significant reasons. *First*, unlike class actions where the class plaintiff prosecutes the  
13 action on behalf of the putative class members, Plaintiff here did *not* prosecute the action on behalf of  
14 the similarly-aggrieved employees. In PAGA claims, the plaintiff employee prosecutes on behalf of the  
15 Labor Commission; the similarly-aggrieved employees have no private right of action in those penalties  
16 and no entitlement to them. *Rope v. Auto-Chlor System of Washington, Inc.* (2013) 220 Cal.App.4th  
17 635, 650<sup>1</sup> ["In PAGA, the Legislature created an enforcement mechanism for aggrieved employees to  
18 file representative actions to recover penalties in cases in which there is no private cause of action as an  
19 alternative to enforcement by the Labor Commissioner"]; *Arias v. Superior Court* (2009) 46 Cal.4th  
20 969, 980–987, 95 Cal.Rptr.3d 588, 209 P.3d 923 [PAGA suit is a representative action and need not be  
21 brought as a class action]. *Second*, there has been no discovery as to the identities of other aggrieved  
22 employees, nor has notice of this action been provided to other aggrieved employees. Thus, the parties  
23 are not aware of any other aggrieved employees who have any expectations of recovery of any kind in  
24 this case, and to the extent any of them wish, in the future, to pursue their own claims, they have the  
25 right to do that.

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<sup>1</sup> Superseded by statute on unrelated ground.

1 THE PARTIES THEREFORE stipulate and jointly request that the Court dismiss Plaintiff's  
2 individual PAGA claim under his fifth cause of action of the complaint for PAGA penalties with  
3 prejudice and his representative PAGA claims without prejudice.

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5 DATED: July 7, 2025

**LAW OFFICES OF RAMIN R. YOUNESSI  
A PROFESSIONAL LAW CORPORATION**

7 By: Chris Afgani  
8 Ramin R. Younessi, Esq.  
9 Christopher S. Afgani, Esq.  
10 Attorneys for Plaintiff,  
JOSE MANUEL CHAVEZ

11 DATED: June 2, 2025

**PUCHER LAW INC.**

14 By: Jennifer Pucher (Jun 2, 2025 12:52 PDT)  
15 Jennifer S. Pucher, Esq.  
16 Attorneys for Defendants  
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1 **[PROPOSED] ORDER**

2 The Court, having considered the Parties' Joint Stipulation, and all legal authorities in support  
3 thereof, and good cause appearing therefore, **HEREBY ORDERS** that Plaintiff's fifth cause of action of  
4 the complaint for penalties pursuant to the Private Attorneys General Act ("PAGA") is dismissed with  
5 prejudice as to his individual claims and without prejudice as to his representative PAGA claims without  
6 prejudice. Counsel for plaintiff is to give notice.

7 **IT IS SO ORDERED.**

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9 DATED: 07/10/2025



*Kevin C. Brazile*

Kevin C. Brazile / Judge

THE HONORABLE KEVIN C. BRAZILE  
JUDGE OF THE SUPERIOR COURT

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 3435 Wilshire Boulevard, Suite 2200, Los Angeles, California 90010.

On June 7, 2025, I served the foregoing document described as **JOINT STIPULATION AND [PROPOSED] ORDER RE: DISMISSAL OF PLAINTIFF'S INDIVIDUAL PAGA CLAIMS WITH PREJUDICE AND HIS REPRESENTATIVE PAGA CLAIMS WITHOUT PREJUDICE** the interested parties in this action as follows:

☒ By emailing true copies addressed to each addressee as follows:

Jennifer S. Pucher, Esq.

*Attorneys for Defendants*

**PUCHER LAW INC.**

318 Avenue "I," Suite 244  
Redondo Beach, CA 90277  
[jennifer@pucherlaw.com](mailto:jennifer@pucherlaw.com)

California Labor & Workforce Development  
Agency  
Attn. PAGA Administrator  
1515 Clay Street, Ste. 801  
Oakland, CA 94612  
(VIA ELECTRONIC SERVICE ONLY)

☒ BY ELECTRONIC MAIL: Pursuant to Code of Civil Procedure §§ 1010.6(a)(2), 1010.6(e), and 1013(g), and/or California Rules of Court 2.251(b)(1)-(2), I transmitted a copy of the aforementioned document to each addressee above to the email address(es) indicated.

☒ BY ELECTRONIC SERVICE: Pursuant to SB 836, I electronically filed a copy of the aforementioned document with California Labor & Workforce Development Agency Only.

Executed on June 7, 2025, at Los Angeles, California.

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

Elizabeth Pineda

