

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MARK RIVAS, individually and on
behalf of other aggrieved employees
pursuant to the California Private
Attorneys General Act,

Plaintiff,

v.

SOLV ENERGY, LLC,

Defendant.

Case No.: 23cv2330-LL-DEB

**ORDER FOR SUPPLEMENTAL
FILING**

On November 6, 2024, the parties jointly filed a Stipulation for Approval of PAGA Settlement and Dismissal of Action.¹ ECF No. 21. The parties seek the Court’s approval of their settlement agreement that would, *inter alia*, dismiss Plaintiff’s individual claims with prejudice, and dismiss without prejudice the representative PAGA claims of aggrieved employees, other than those of Plaintiff. *Id.* at 3. The parties indicate that “[i]f approved, the PAGA Settlement will be reported to the [California Labor and Workforce
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¹ PAGA refers to the California Private Attorneys General Act, sections 2698 to 2699.8 of the California Labor Code.

1 Development Agency (“LWDA”)] in conformance with Labor Code section 2699(s).
2 *Id.* ¶ 8.

3 The Court notes that section 2699(s) of the California Labor Code states that “[t]he
4 proposed settlement shall be submitted to the agency at the same time that it is submitted
5 to the court.” Cal. Lab. Code § 2699(s)(2). However, it appears that the parties are
6 proposing to only send the settlement to the LWDA *after* the Court has approved it.
7 Nothing in the Stipulation indicates that the proposed PAGA settlement was sent to the
8 LWDA at the same time it was filed with the Court.

9 Accordingly, the Court **ORDERS** the parties to immediately file the proposed
10 settlement to the LWDA as required by California Labor Code section 2699(s), and to file
11 proof of such filing with the Court.

12 **IT IS SO ORDERED.**

13 Dated: November 8, 2024



Honorable Linda Lopez
United States District Judge