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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 JOSHUA AHLSTROM, *individually and*
12 *on behalf of all others similarly situated*
13 *and similarly aggrieved employees*, et al.,
14 Plaintiffs,

15 v.

16 AEROTEK, INC., et al.,
17 Defendants.
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Case No.: 24-cv-507-MMA (SBC)

**ORDER GRANTING JOINT
MOTIONS TO DISMISS**

[Doc. Nos. 14, 15]

22 On July 15, 2024, Plaintiff Joshua Ahlstrom and Defendants Aerotek, Inc. and
23 Sekisui Diagnostics, LLC filed a joint motion to dismiss all of Plaintiff Ahlstrom's claims
24 against them in their entirety pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).
25 Doc. No. 14. In addition, Plaintiff Lydell Burton and Defendant Aerotek, Inc. filed a
26 separate joint motion to dismiss Plaintiff Burston's claims against Defendant Aerotek
27 only. Doc. No. 15. Upon due consideration, good cause appearing, the Court **GRANTS**
28 the joint motions. Accordingly, the Court **ORDERS** the following:

As to Plaintiff Ahlstrom:

1. Ahlstrom's individual claims in his Complaint against Defendants Aerotek, Inc. and Sekisui Diagnostics, LLC (collectively, "Defendants") on behalf of himself under the Private Attorneys General Act (Cal. Lab. Code § 2698, *et seq.*) ("PAGA") are hereby **DISMISSED WITH PREJUDICE**;

2. Ahlstrom's non-PAGA individual claims in his Complaint against Defendants are hereby **DISMISSED WITH PREJUDICE**;

3. Ahlstrom's non-individual PAGA claims brought on behalf of other alleged joint employees of Defendants are hereby **DISMISSED WITHOUT PREJUDICE**;

4. Ahlstrom's proposed class claims brought on behalf of other alleged joint employees of Defendants are hereby **DISMISSED WITHOUT PREJUDICE**; and

5. Within ten (10) business days after entry of the above dismissals, Ahlstrom shall submit entry of this dismissal to the Labor & Workforce Development Agency, and he shall serve all parties with confirmation of that submission.

6. The Clerk of Court is **DIRECTED** to terminate Ahlstrom from this action.

As to Plaintiff Burston:

1. Burston's individual claims in his Complaint against Aerotek only on behalf of himself under the Private Attorneys General Act (Cal. Lab. Code § 2698 *et seq.*) ("PAGA") are hereby **DISMISSED WITH PREJUDICE**;

2. Burston's non-PAGA individual claims in his Complaint against Aerotek only are hereby **DISMISSED WITH PREJUDICE**;

3. Burston's non-individual PAGA claims brought on behalf of other employees of Aerotek are hereby **DISMISSED WITHOUT PREJUDICE**;

4. Burston's proposed class claims brought on behalf of other employees of Aerotek are hereby **DISMISSED WITHOUT PREJUDICE**; and

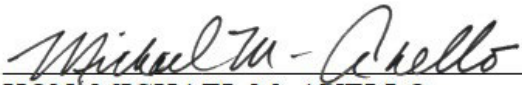
5. Within 10 days after entry of this dismissal, Burston shall submit entry of this dismissal to the Labor & Workforce Development Agency, and he shall serve all parties with confirmation of that submission.

1 6. Given that all claims in the Complaint against Defendant Aerotek have now
2 been dismissed, the Clerk of Court is **DIRECTED** to terminate Aerotek from this
3 action.

4 7. Burstons' claims against Defendant Sekisui remain.

5 **IT IS SO ORDERED.**

6 Dated: July 15, 2024


HON. MICHAEL M. ANELLO
United States District Judge