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Attorneys for Plaintiff, JUANA CONSUEGRA HERNANDEZ

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE
(UNLIMITED JURISDICTION)**

JUANA CONSUEGRA HERNANDEZ, as an
“aggrieved employee” on behalf of herself and
other similarly situated “aggrieved employees”
under the Labor Code Private Attorneys
General Act of 2004,

Plaintiff,

vs.

COMMERCIAL MAINTENANCE
SERVICES, INC.; SEA CREST FACILITIES
SERVICES LLC; SEA CREST
COMMERCIAL SERVICES, LLC; SEA
CREST SERVICES, INC.; and DOES 1 to 25,
inclusive,

Defendant(s).

Case No.: 30-2024-01389290-CU-OE-CXC

**STIPULATION AND ORDER FOR
DISMISSAL WITHOUT PREJUDICE
OF PLAINTIFF’S COMPLAINT UNDER
THE LABOR CODE PRIVATE
ATTORNEYS GENERAL ACT OF 2004,
LABOR CODE §§ 2698, ET SEQ.**

*Assigned for All Purposes to
Hon. Melissa R. McCormick
Department CX105*

Action filed: 09/05/2023
CMC: 6/26/2025, 9:00 a.m.
FSC: Not set
Trial: Not set

ATTORNEYS FOR DEFENDANTS

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Attorneys for Defendants, COMMERCIAL MAINTENANCE SERVICES, INC.;
SEA CREST FACILITIES SERVICES, LLC

1 **TO THE COURT, ALL INTERESTED PARTIES, AND THEIR COUNSEL OF**
2 **RECORD:**

3 **IT IS HEREBY STIPULATED** and agreed by and between Juana Consuegra
4 Hernandez and Defendants Commercial Maintenance Services, Inc. and Sea Crest Facilities
5 Services LLC (collectively “Defendants”) (together, the “Parties”), by and through their
6 respective counsel of record, that the Parties enter into this Stipulation as follows:

7 WHEREAS, on March 25, 2024, Plaintiff Juana Consuegra Hernandez filed a PAGA
8 only complaint against Defendants in this action (“Hernandez Action”).

9 WHEREAS, on January 26, 2024, Diego Alvarez filed a Class Action complaint against
10 Defendant Sea Crest Facilities Services LLC in the Los Angeles County Superior Court, Case
11 No. 24STCV02089. Because of an enforceable arbitration agreement, Diego Alvarez dismissed
12 class and individual claims and filed a Private Attorney General Act (“PAGA”) only complaint
13 (“Alvarez Action”);

14 WHEREAS, on December 10, 2024, the Parties in the Alvarez and the Hernandez
15 Actions participated in global mediation with Defendants and reached an agreement to settle
16 the PAGA claims;

17 WHEREAS, the Parties have agreed to dismiss the Hernandez Action and seek court
18 approval of the PAGA Settlement through the Alvarez Action as it was the first filed case;

19 WHEREAS, on June 4, 2025, the Parties filed a Second Amended Consolidated PAGA
20 Complaint for purposes of settlement approval in the Alvarez Action which encompasses the
21 Hernandez Action in its entirety;

22 WHEREAS, this Stipulation to dismiss the PAGA claim, without prejudice, shall be
23 served to the California Labor and Workforce Development Agency (“LWDA”) after court
24 approval;

25 ///

26 ///

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28 ///

THE PARTIES THEREFORE stipulate and jointly request that the Court dismiss Plaintiff's Complaint for PAGA penalties, without prejudice.

Respectfully submitted,

MM LAW, APC

Dated: June 16, 2025

By /s/ Maralle Messrelian
Maralle Messrelian, Esq.
Attorney for Plaintiff,
Juana Consuegra Hernandez

LARSEN & NADDOUR LLP

Dated: June 16, 2025

By /s/ Joseph G. Naddour
Joseph G. Naddour
Attorney for Defendants, Commercial
Maintenance Services, Inc. and Sea
Crest Facilities Services, LLC

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IT IS HEREBY ORDERED that:

- IT IS SO ORDERED.**

By:

MELISSA R. MCCORMICK
JUDGE OF THE SUPERIOR COURT