

EVAN S. GAINES, ESQ. SBN 287668
GAINES LAW CORPORATION
4550 E. Thousand Oaks Blvd., Suite 100
Westlake Village, CA 91362
Telephone: (805) 892-8200
Facsimile: (805) 800-8928
evan@gaines.law

Attorneys for Plaintiff Mayte Swift,
on behalf of himself and all "aggrieved employees"
pursuant to Labor Code § 2698 *et seq.*

F Superior Court of California F
I County of Butte I
L 6/12/2026 L
E E
D By Sharif Elmallah, Clerk Deputy
Electronically FILED

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF BUTTE

MAYTE SWIFT, on behalf of herself and all
"aggrieved employees" pursuant to Labor
Code § 2698 *et seq.*,

Plaintiff,

v.

HOME HEALTH CARE MANAGEMENT,
INC., a California corporation, and DOES 1
through 10, inclusive,

Defendants.

Case No. 24CV01441

Assigned for all purposes to the Honorable
Tamara L. Mossbarger, Dept. 1

**STIPULATION AND ~~[PROPOSED]~~ ORDER
DISMISSING REPRESENTATIVE
PRIVATE ATTORNEYS GENERAL ACT
ACTION**

[Labor Code § 2698 *et seq.*]

[Filed Concurrently with Declaration of Evan S.
Gaines]

Complaint Filed: May 3, 2024

STIPULATION

WHEREAS, on May 3, 2024, Plaintiff Mayte Swift (“Plaintiff”), on behalf of herself and on behalf of all aggrieved employees filed a representative complaint against Defendant HOME HEALTH CARE MANAGEMENT, INC., a California corporation (“Defendant”), pursuant to the Labor Code Private Attorneys General Act of 2004 (“PAGA”), Labor Code § 2698 *et seq.*, seeking civil penalties for violations of the California Labor Code (Declaration of Evan S. Gaines [“Gaines Decl.”], ¶ 2);

WHEREAS, after a review of the claims and defenses to the Action, and considering Defendant’s contentions that Plaintiff has been paid all expense reimbursement due and owing and maintains claims that are individual to the other Aggrieved Employees, Plaintiff’s Counsel has concluded that it is in all Parties’ best interest to resolve Plaintiff’s individual claims only (Gaines Decl., ¶ 3);

WHEREAS, the Parties have negotiated a settlement of Plaintiff’s individual claims only, and the representative PAGA claims will be dismissed *without* prejudice (the “Settlement”) (Gaines Decl., ¶ 4);

WHEREAS, the Settlement between Plaintiff and Defendant does not contemplate the waiver of any claims by anyone other than Plaintiff and does not provide for the waiver of representative PAGA claims asserted on behalf of any employee or the state, such that there is no allocation of civil penalties in the Settlement. (Gaines Decl. ¶ 5);

WHEREAS, concurrent to the filing of this Stipulation, the Parties have submitted the Settlement Agreement to the Labor and Workforce Development Agency in compliance with Labor Code section 2699(l)(2) (Gaines Decl. ¶ 6); and

///

///

///

///

///

///

1 ///

2 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties hereto and
3 through their respective attorneys of record that Plaintiff's individual claims shall be dismissed with
4 prejudice, the claims of all allegedly aggrieved employees shall be dismissed without prejudice, and
5 the Court shall retain jurisdiction pursuant to Code of Civil Procedure Section 664.6 with respect to
6 all matters related to the consummation of the settlement, including to enforce the Settlement.

7 **IT IS SO STIPULATED.**

8 Dated: April 23, 2026

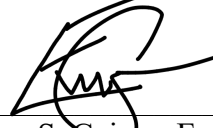
Dated: May 22, 2026

9 For Plaintiff MAYTE SWIFT:

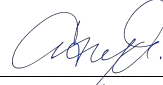
For Defendant HEALTH CARE
MANAGEMENT, INC.

10 GAINES LAW CORPORATION

PALMER KAZANJIAN WOHL HODSON
LLP

11
12 By:  _____

13 Evan S. Gaines, Esq.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 By:  _____

Casey M. Blanas, Esq.

ORDER

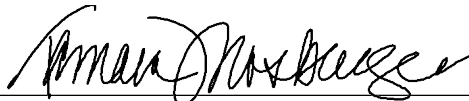
The Court, having reviewed the Parties' stipulation and any and all supporting papers, hereby
ORDERS that:

1. The action is hereby DISMISSED WITH PREJUDICE as to Mayte Swift's individual
claims, and DISMISSED WITHOUT PREJUDICE as to the representative claims under PAGA
asserted on behalf of all allegedly aggrieved employees; and

2. The Court shall retain jurisdiction pursuant to Code of Civil Procedure Section 664.6
with respect to all matters related to the consummation of the settlement, including to enforce the
Settlement.

IT IS SO ORDERED.

Dated: 6/12/2026


JUDGE OF THE SUPERIOR COURT
TAMARA L. MOSBARGER

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

_____ (For messenger) my business address is:

Treaver Hodson thodson@pkwhlaw.com
Casey Blanas cblanas@pkwhlaw.com
Dayra Juarez djuarez@pkwhlaw.com
Cassandra Viscia cviscia@pkwhlaw.com
Amber Rasmussen arasmussen@pkwhlaw.com
 (Served via email only)

____ (BY x U.S. MAIL/ BY ☐ CERTIFIED MAIL, RETURN RECEIPT REQUESTED) The sealed envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with United States postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

X (UPLOADED TO LWDA WEB PORTAL) I caused the above-described documents to be delivered to the Labor & Workforce Development Agency via online process at the PAGA Filing website (www.dir.ca.gov) in accordance with the procedure imposed by the LWDA.

I declare under penalty of perjury that the foregoing is true and correct.


EVAN S. GAINES, ESQ.

1 **PROOF OF SERVICE**

2 I, Melissa Aguilar, am employed in the City and County of Sacramento, California. I am over
3 the age of eighteen years and not a party to the within-entitled action. My business address is 2277
Fair Oaks Boulevard, Suite 455, Sacramento, CA 95825.

4 On Friday, May 22, 2026, the following document(s):

5 **STIPULATION AND [PROPOSED]**
6 **ORDER DISMISSING REPRESENTATIVE PRIVATE ATTORNEYS GENERAL ACT**
7 **ACTION**

8 were served on all parties in this action addressed as follows:

9 **PARTY**

10 **GAINES LAW CORPORATION**

Evan S. Gaines

11 4550 E. Thousand Oaks Blvd., Suite 100

Westlake Village, CA 93162

12 Tele: (805) 892-8200

13 evan@gaines.law

COUNSEL OF PARTY

Counsel for Plaintiff

14 Service was accomplished by:

15 ☒ **ELECTRONIC MAIL** – I served via electronic mail the above-described documents to the
16 person or persons at the email addresses listed above on the date stated herein. I did not receive, within
17 a reasonable time after the transmission, any electronic message or other indication that the
transmission was unsuccessful. My email address is. maguilar@pkwhlaw.com

18 I declare under penalty of perjury under the laws of the State of California that the above is
19 true and correct.

20 Executed on May 22, 2026 in Sacramento, California.



21 _____
22 Melissa Aguilar