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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF ORANGE**
10 **CIVIL COMPLEX CENTER**

11 DAVID A. GREENE, individually and as
12 representative of the State of California on behalf
13 of all aggrieved employees,

14 Plaintiff,

15 v.

16 KHALID M. ASIMI and HAMID M. ASIMI,
17 individuals doing business as Alert Security
18 Services in Corona, California, and DOES 1 - 20,
19 inclusive,

20 Defendants.

Case No. 30-2024-01377249-CU-OE-CXC

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S RENEWED *EX PARTE*
APPLICATION FOR AN ORDER
SHORTENING THE TIME FOR
HEARING ON PLAINTIFF'S
UNOPPOSED MOTION FOR AN ORDER
(1) APPROVING THE SETTLEMENT OF
PLAINTIFF'S INDIVIDUAL PAGA
CLAIMS AND DISMISSING THOSE
CLAIMS WITH PREJUDICE AND (2)
DISMISSING PLAINTIFF'S PAGA
CLAIMS ON BEHALF OF THE OTHER
AGGRIEVED EMPLOYEES WITHOUT
PREJUDICE**

21 **[Filed Concurrently With (a) Notice of Plaintiff's Renewed *Ex Parte* Application and *Ex Parte***
22 **Application For an Order Shortening the Time for Hearing on Plaintiff's Unopposed Motion**
23 **for an Order (1) Approving the Settlement of Plaintiff's Individual PAGA Claims and**
24 **Dismissing Those Claims With Prejudice and (2) Dismissing Plaintiff's PAGA Claims on**
25 **Behalf of the Other Aggrieved Employees Without Prejudice; (b) Memorandum of Points and**
26 **Authorities in support of Plaintiff's Renewed *Ex Parte* Application; (c) Declaration of Plaintiff**
27 **David A. Greene in support of Plaintiff's Renewed *Ex Parte* Application; and (d) Declaration**
28 **of Daniel V. Santiago in support of Plaintiff's Renewed *Ex Parte* Application]**

1 The Plaintiff, David A. Greene, filed his Individual and Representative Action Complaint
2 (“Complaint”) against the Defendants, Khalid M. Asimi and Hamid M. Asimi, individuals doing
3 business as Alert Security Services in Corona, California, on February 1, 2024. Plaintiff’s Complaint
4 contains several causes of action against the Defendants allegedly arising from, *inter alia*: (a)
5 Defendants’ systematic practice of not paying Plaintiff and all aggrieved employees all wages due
6 and owing (including wages for all overtime and off-the-clock hours worked) in violation of
7 California Labor Code (“Labor Code”) §§204(a), 218.6, 510(a), 1194(a) and 1197 and Industrial
8 Welfare Commission Wage Order No. 4-2001, §§3(A) and 4(B); (b) Defendants’ systematic failures
9 to provide Plaintiff and all aggrieved employees with any itemized wage statements, let alone
10 itemized wage statements accurately identifying their total hours worked, gross wages earned and net
11 wages earned in violation of Labor Code §226(a); and (c) Defendants’ systematic failures to pay
12 Plaintiff and all aggrieved employees all wages due upon termination of their employment in violation
13 of Labor Code §§201-203. Additionally, Plaintiff’s Complaint contains Plaintiff’s representative
14 claims, as representative of the State of California on behalf of himself and all aggrieved employees
15 of the Defendants, under the Private Attorneys’ General Act of 2004 (“PAGA”), Labor Code §2698
16 et seq., for civil penalties arising from Defendants’ alleged violations of the Labor Code and IWC
17 Wage Order No. 4-2001.

18 Plaintiff has filed an Unopposed Motion for an Order (1) Approving the Settlement of
19 Plaintiff’s Individual PAGA Claims and Dismissing Those Claims With Prejudice and (2) Dismissing
20 Plaintiff’s PAGA Claims on Behalf of the Other Aggrieved Employees Without Prejudice
21 (“Plaintiff’s Unopposed Motion”). Plaintiff’s Unopposed Motion is currently set for hearing on
22 October 3, 2024, at 2:00 p.m. in Department CX104 of the Orange County Superior Court, Civil
23 Complex Center.

24 In addition, Plaintiff has filed a Renewed *Ex Parte* Application for an Order Shortening the
25 Time for Hearing on Plaintiff’s Unopposed Motion. Plaintiff’s *Ex Parte* Application is currently set
26 for hearing on June 12, 2024, at 1:30 p.m. in Department CX104 of the Orange County Superior
27 Court, Civil Complex Center.

1 **ORDER**

2 Having considered Plaintiff's Renewed *Ex Parte* Application and supporting papers filed by
3 Plaintiff's counsel (Notice of Plaintiff's Renewed *Ex Parte* Application, Memorandum of Points and
4 Authorities in support of Plaintiff's Renewed *Ex Parte* Application, Declaration of Plaintiff David A.
5 Greene in support of Plaintiff's Renewed *Ex Parte* Application, and Declaration of Daniel V. Santiago
6 in support of Plaintiff's Renewed *Ex Parte* Application); having further considered Plaintiff's
7 Unopposed Motion and supporting papers filed by Plaintiff's counsel (Notice of Plaintiff's
8 Unopposed Motion, Memorandum of Points and Authorities in support of Plaintiff's Unopposed
9 Motion, Declaration of Daniel V. Santiago in support of Plaintiff's Unopposed Motion, and the
10 parties' Stipulation Regarding the Settlement of Plaintiff's Individual PAGA Claims and the
11 Dismissal of Those Claims With Prejudice); and good cause appearing for the relief requested therein,

12 **IT IS HEREBY ORDERED THAT:**

13 1. The hearing on Plaintiff's Unopposed Motion (currently set for hearing on October 3,
14 2024, at 2:00 p.m. in Department CX104 of the Orange County Superior Court, Civil Complex Center
15 – Reservation Number 74304714) is hereby advanced to the date and time of Plaintiff's Renewed *Ex*
16 *Parte* Application (June 12, 2024, at 1:30 p.m. in Department CX104 of the Orange County Superior
17 Court, Civil Complex Center).

18 2. The Court hereby approves of the settlement of Plaintiff's representative PAGA claims
19 against the Defendants on behalf of himself as an allegedly aggrieved employee of Defendants
20 (hereinafter referred to as "Plaintiff's individual PAGA claims") for Two Thousand U.S. Dollars
21 (\$2,000.00) (75% of which or One Thousand Five Hundred U.S. Dollars (\$1,500.00) is to be paid to
22 the "Labor and Workforce Development Agency" ["LWDA"] and 25% of which or Five Hundred
23 U.S. Dollars [\$500.00] is to be paid to Plaintiff). Upon Defendants' payment in full of the Gross
24 Settlement Amount described in the parties' Settlement Agreement, Plaintiff's counsel shall promptly
25 transfer to the LWDA and Plaintiff their respective shares of the settlement of Plaintiff's individual
26 PAGA claims against the Defendants.

27 3. The Court hereby dismisses with prejudice Plaintiff's individual PAGA claims against
28 the Defendants.

1 4. The Court hereby dismisses with prejudice Plaintiff's individual non-PAGA claims
2 against the Defendants.

3 5. The Court hereby dismisses without prejudice Plaintiff's representative PAGA claims
4 against the Defendants on behalf of the other allegedly aggrieved employees of the Defendants.

5 6. The Court hereby retains jurisdiction over this matter pursuant to California Code of
6 Civil Procedure 664.6 with regard to any future steps taken by any party to enforce the parties'
7 Confidential Settlement Agreement and Mutual Release of All Claims.

8 **IT IS SO ORDERED.**

9 Dated: _____

Judge of the Superior Court of California,
County of Orange