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 MICHAEL ARANDA

FILED
 Superior Court of California
 County of Los Angeles

01/28/2025

David W. Stryba, Executive Officer / Clerk of Court
 By: N. DiGiambattista Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES**

MICHAEL ARANDA, an individual,
 Plaintiff,

v.

THE CALIFORNIA CONFERENCE FOR
 EQUALITY AND JUSTICE, INC., a California
 Nonprofit Corporation; REENA HAJAT
 CARROLL, an individual; and DOES 1 through
 20, inclusive,

Defendants.

Case No.: 24STCV18410

*[Assigned for all purposes to the Honorable Bradley S.
 Phillips, Department 26]*

**NOTICE OF SETTLEMENT; REQUEST FOR
 DISMISSAL OF PLAINTIFF'S
 REPRESENTATIVE PAGA CAUSE OF
 ACTION WITHOUT PREJUDICE AND
 PLAINTIFF'S INDIVIDUAL PAGA CLAIM
 WITH PREJUDICE; ~~PROPOSED~~ ORDER**

Action Filed: July 24, 2024
 Trial Date: Not yet set

**TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
 RECORD:**

1. This entire case has been settled. The settlement requires the dismissal of Plaintiff's representative Private Attorney General Act ("PAGA") claim and request for dismissal of Plaintiff's individual PAGA claim. A request for dismissal with prejudice of Plaintiff's individual claims will be filed after the approval of Plaintiff's request to dismiss without prejudice his representative PAGA cause of action.

2. Plaintiff's initial pleading was filed on July 24, 2024.

3. The Parties are scheduled to appear before the Honorable Judge for a Case Management Conference on February 20, 2025 at 8:30 am in Department 26.

1 Plaintiff MICHAEL ARANDA (“Plaintiff”), on behalf of himself, and the State of California
2 Labor & Workforce Development Agency (“LWDA”), through his attorneys of record, GUERRA &
3 CASILLAS LLP, hereby reports and requests as follows:

4 WHEREAS, the Parties are pleased to report that this matter has been settled.

5 WHEREAS, the Parties’ agreement, however, is conditional on the dismissal of Plaintiff’s
6 representative PAGA cause of action without prejudice and a dismissal with prejudice of Plaintiff’s
7 individual PAGA claim.

8 WHEREAS, Plaintiff provided the LWDA with notice of his intent to assert a PAGA claim and
9 the basis for that claim in accordance with Labor Code section 2699.3 on July 16, 2024. Plaintiff filed
10 his First Amended Complaint adding his PAGA cause of action on October 11, 2024, after not receiving
11 a response from the LWDA;

12 WHEREAS, upon receipt of the settlement payment, Plaintiff will file a request for dismissal
13 with prejudice for Plaintiff’s individual claims and individual PAGA claim.

14 WHEREAS, Plaintiff brought this Action against Defendant alleging the following causes of
15 action: (1) Discrimination in Violation of Gov’t Code §§ 12940 et seq.; (2) Harassment in Violation of
16 Gov’t Code §§ 12940 et seq.; (3) Retaliation in Violation of Gov’t Code §§ 12940 et seq.; (4) Failure
17 to Prevent Discrimination, Harassment and Retaliation in Violation of Gov’t Code §§ 12940(k); (5)
18 Retaliation in Violation of Labor Code §§ 12945.2 (6) Retaliation Lab. Code §§98.6; (7) Retaliation Lab
19 Code §§1102.5 (8) Wrongful Termination in Violation of Public Policy; (9) For Declaratory Judgment
20 (10) Failure to Pay Wages (Cal Labor Code §§201, 1194) (11) Failure to Pay Minimum Wages (Cal.
21 Labor Code §§1182.12, 1194, 1194.2, 1197); (12) Failure to Pay Overtime Compensation (Cal Labor
22 Code §§510, 1194); (13) Failure to Indemnify for Necessary Business Expenses (Cal. Labor Code
23 §§2802); (14) Failure to Provide Meal and Rest Periods (Cal. Labor Code §§226.7, 512); (15) Failure
24 to Provide Itemized Wage and Hour Statements (Cal. Labor Code §§226, et seq); (16) Waiting Time
25 Penalties (Cal Labor Code §§226, et seq.) (17) Unfair Competition (Bus. & Prof. Code §§ 17200 et seq);
26 (18) Private Attorney General Act

27 WHEREAS, Defendant’s alleged violations under the California Labor Code, and the derivative
28 claims, serve as the basis for Plaintiff’s PAGA cause of action;

WHEREAS, Defendant denies that there is any factual or legal basis for the claims in this Action;

1 WHEREAS, in order to avoid the expense, uncertainty, and inconvenience of further
2 proceedings, the Parties reached a settlement of Plaintiff's claims against Defendant, which underlying
3 negotiations were focused completely on Plaintiff's individual claims and individual PAGA claim, but
4 not the representative PAGA claim;

5 WHEREAS, the Parties entered into a confidential settlement and general release on December
6 19, 2024;

7 WHEREAS, the settlement between the Parties is not a "PAGA settlement" requiring court
8 approval under Labor Code section 2699(1)(2) because the Parties did not seek to release any PAGA
9 claims on a representative basis;

10 WHEREAS, Plaintiff is limited to facts within his own knowledge, and Plaintiff did not receive
11 any PAGA discovery from Defendant and will not be able to identify other aggrieved employees;

12 WHEREAS, Plaintiff has not sought the express consent of other aggrieved employees to pursue
13 this lawsuit on their behalf;

14 WHEREAS, Plaintiff is not required to give other aggrieved employees the opportunity to opt-
15 out of Plaintiff's representation in this matter;

16 WHEREAS, a claim under the California Labor Code Private Attorney General Act of 2004
17 ("PAGA"), California Labor Code §§2699 et seq. was part of the Complaint;

18 WHEREAS, the rights of other aggrieved employees will not be prejudiced, as the Parties only
19 seek dismissal without prejudice of the PAGA claim of the other allegedly aggrieved employees. No
20 consideration has been or will be provided for the dismissal without prejudice of Plaintiff's
21 representative PAGA claim with respect to these other allegedly aggrieved employees, and the Parties
22 did not seek or enter into a release of a representative PAGA claim on behalf of any allegedly aggrieved
23 employees. Thus, Dismissal of this representative action does not affect the rights or abilities of any
24 other allegedly aggrieved employees to bring subsequent individual actions, class actions, or
25 representative PAGA actions because this action is to be dismissed without prejudice as to the
26 representative PAGA claim for any other allegedly aggrieved employees;

27 WHEREAS, this stipulation to dismiss the representative PAGA claim without prejudice shall
28 be served to the California Labor Workforce ("LWDA") after Court approval;

1 WHEREAS, any other allegedly aggrieved employees will not be prejudiced without notice of
2 the settlement or the requested dismissal. Discovery as to the identities of other aggrieved employees
3 was not completed based on the Parties desire to resolve the case after protracted discussion,
4 investigation, and negotiation, nor has notice of this action been provided to other aggrieved employees.
5 Thus, the Parties are not aware of any other allegedly aggrieved employees who have any expectations
6 of recovery of any kind in this case, and to the extent any of them wish, in the future, to pursue their
7 own claims, they have the right to do that; and

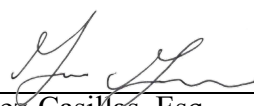
8 WHEREAS, Plaintiff wishes to dismiss his representative PAGA cause of action without
9 prejudice.

10 **NOW, THEREFORE**, Plaintiff requests that:

11 1. The Court dismiss Plaintiff's eighteenth representative cause of action under the Private
12 Attorney General Act of 2004 ("PAGA"), Labor Code §§2699 et seq., without prejudice and dismiss
13 Plaintiff's eighteenth individual cause of action under the PAGA, Labor Code §§2699 et seq., with
14 prejudice.

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16
17 DATED: January 21, 2025

GUERRA & CASILLAS LLP

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19
20 By: 

Tizoc Perez-Casillas, Esq.
Guile Gomez, Esq.
Ruben Guerra, Esq.
Attorneys for Plaintiff
MICHAEL ARANDA

~~PROPOSED~~ ORDER

The Court, having considered Plaintiff's Request for Dismissal of Plaintiff's Representative Private Attorneys General Act cause of action without prejudice, and good cause appearing therefore,

IT IS HEREBY ORDERED that

1. Plaintiff's eighteenth representative cause of action under the California Labor Code, Private Attorney General Act, Labor Code §§ 2699, et seq., is dismissed without prejudice;

2. Plaintiff's eighteenth individual cause of action under the California Labor Code, Private Attorney General Act, Labor Code §§ 2699, et seq., is dismissed with prejudice; and

3. Plaintiff shall submit a copy of this Court Order to the Labor and Workforce Development Agency within 10 days after entry of this order;

4. An Order to Show Cause RE: Dismissal is scheduled for hearing on _____
February 20, __, 2025; ~~and~~ at 8:30 a.m.

~~4~~

IT IS SO ORDERED.

DATED: 01/28/2025



HON. JUDGE BRADLEY S. PHILLIPS
JUDGE OF SUPERIOR COURT

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I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 617 South Olive Street, Suite 422, Los Angeles, California 90014.

On January 21, 2025, I served the foregoing document(s) as described as **NOTICE OF SETTLEMENT; REQUEST FOR DISMISSAL OF PLAINTIFF'S REPRESENTATIVE PAGA CAUSE OF ACTION WITHOUT PREJUDICE AND PLAINTIFF'S INDIVIDUAL PAGA CLAIM WITH PREJUDICE; [PROPOSED] ORDER** on the interested parties described in the attached service list in this action as follows:

Ana Thomas, Esq.
Lyndsay Sklenka, Esq.
YOUNG-Agriesti & Thomas, LLP
FKA Klatte, Budensiek & Young-Agriesti, LLP
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*Attorneys for Defendants the
California Conference for Equality
and Justice, Inc. and Reena-Hajat
Carroll*

☒ (VIA ELECTRONIC TRANSMISSION) I caused a copy of the document(s) listed above to be sent via electronic transmission either through email or through an electronic delivery service to the persons at the e-mail addresses listed above on this day. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on January 21, 2025, at Los Angeles, California.

☒ STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Kristie Lopez

Krfor