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Attorneys for Defendants
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Roadside & Freeway Service, LLC. and
Sam Rahimian

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

SAEID KHARRAT, an individual,

Plaintiff,

vs.

CALIFORNIA ROADSIDE SERVICE, LLC,
a California limited liability company;
CALIFORNIA ROADSIDE & FREEWAY
SERVICE LLC, a California limited liability
company; SAM RAHIMIAN, an individual;
and DOES 1 through 20, inclusive,,

Defendants.

Case No. 30-2024-01424754-CU-OE-CXC

Assigned For All Purposes to:
Hon. William D. Claster
Department CX101

**JOINT STIPULATION TO DISMISS
PLAINTIFF'S REPRESENTATIVE
CLAIMS WITHOUT PREJUDICE;
[PROPOSED]ORDER THEREON**

Action Filed: September 9, 2024
Trial Date: None Set

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

2 Plaintiff SAEID KHARRAT (“Plaintiff”) and Defendants CALIFORNIA ROADSIDE
3 SERVICE, LLC, CALIFORNIA ROADSIDE & FREEWAY SERVICE LLC, and SAM
4 RAHIMIAN (collectively, the “Defendants” and together with Plaintiff, the “Parties”), by and
5 through their respective counsel of record, hereby submit this Stipulation to Dismiss Plaintiff’s
6 Representative Claims Without Prejudice as follows:

7 1. On July 1, 2024, Plaintiff sent the California Labor and Workforce Development
8 Agency a letter advising of his intent to assert claims against Defendants under the California
9 Private Attorneys’ General Act (“PAGA Notice”). The PAGA Notice seeks penalties related to
10 various Labor Code violations for the PAGA Liability Period between July 1, 2023 to Present
11 (“PAGA Liability Period”)

12 2. On September 9, 2024, Plaintiff filed a civil lawsuit against Defendants in The
13 Superior Court of California County of Orange, wherein Plaintiff alleges he is entitled to damages
14 pursuant to his claim for (1) Failure to Pay Wages (Labor Code §§ 201, 1194; (2) Failure to
15 Indemnify For Necessary Business Expenses (Labor Code § 2802); (3) Failure to Provide Meal
16 and Rest Periods (Labor Code §§226.7, 512); (4) Failure to Provide Itemized Wage Statements
17 (Labor Code §226).; (5) Private Attorney General Act (Labor Code §2699)(“PAGA claims”); (6)
18 Unfair Competition (Bus. & Prof. Code §17200); (7) Retaliation (Labor Code § 1102.5 et seq.);
19 and, (8) Retaliation (Labor Code § 6310) (hereinafter “the Action”).

20 3. On December 11, 2024, the Court stayed the Plaintiff’s representative PAGA
21 Claims and ordered the Parties to Arbitrate the Plaintiff’s individual claims brought in the Action
22 in accordance with the Parties’ Joint Stipulation to Compel.

23 4. Thereafter, Plaintiff made a demand for arbitration of his individual claims and the
24 matter is currently pending before JAMS, Case No. 522008075, Arbitrator Deborah Saxe, Esq.
25 presiding. The Arbitration is presently set to commence on April 11, 2026.

26 5. Defendants have reached an agreement in another case entitled *Benjamin Pichardo*
27 *v. Brea Towing Service, et al.*, Case No.30-2023-01361704-CU-OE-CXC, pending in the Orange
28 County Superior Court, to settle the claims involving the PAGA Liability Period of November 6,

2022 to the present, but no date has yet been set for court approval by the Orange County Superior Court.

6. Thereafter, the Parties in this case reached a settlement of Plaintiff's individual claims against Defendants, and entered into a confidential settlement and general release on January 15, 2026.

7. Plaintiff now seeks to dismiss this Action in its entirety, including the representative/non-individual PAGA claims alleged in this Action against Defendants and remained stayed in the Superior Court of California, County of Orange, without prejudice.

8. Pursuant to California Code of Civil Procedure section 581 (b)(1), "[a]n action may be dismissed ... with or without prejudice, upon written request of the plaintiff ... at any time before the actual commencement of trial..." The Court has not set a trial date.

9. The request for dismissal of the claims brought under PAGA are not subject to the requirements of Cal. Rules of Court, Rule 3.770 because the Action is not a class action and does not contain any class claims. PAGA actions are not subject to class action requirements. (*Arias v. Superior Court* (2009) 46 Cal.4th 969; *see also, Cardenas v. McLane Foodservices, Inc.* (C.D. Cal. 2011) SACV 10-473, *3.) No consideration, direct or indirect, is being given for the dismissal of the representative claims, without prejudice. A dismissal *without prejudice* of the representative PAGA claims will have no effect on the rights of the State or any potentially aggrieved employee other than Plaintiff.

10. No prejudice to the potentially aggrieved employees or the Labor and Workforce Development Agency will result from the dismissal of the representative PAGA claims *without prejudice*.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, subject to the approval of the Court, as follows:

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

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

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2 IT IS SO STIPULATED.
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7 DATED: January 16, 2026

SGGB LAW FIRM, LLP

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9
10 By: 

11 Samvel Geshgian, Esq.
12 Gourgen Babayan, Esq.
13 Attorneys for Plaintiff
14 Saeid Kharrat

15 DATED: January 16, 2026

LEWIS BRISBOIS BISGAARD & SMITH,
LLP

16 By: 

17 Wesley A. Krueger, Esq.
18 Celine Sim, Esq.
19 Attorneys for Defendants
20 California Roadside Service, LLC. California
21 Roadside & Freeway Service, LLC. and
22 Sam Rahimian
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[PROPOSED] ORDER

The Court, having considered the Parties' Joint Stipulation, and all legal authorities in support thereof, and good cause appearing therefore,

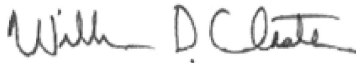
IT IS HEREBY ORDERED that

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

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

IT IS SO ORDERED.

Date: 01/20/2026



Judge of the Superior Court
Hon. William D. Claster