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10 Attorneys for Plaintiff Sergio Cortes Lara, individually and on behalf of all similarly situated
11 individuals and all “aggrieved employees” pursuant to Labor Code § 2698 *et seq.*

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF FRESNO**

14 SERGIO CORTES LARA, individually and on
15 behalf of all “aggrieved employees” pursuant
to Labor Code § 2698 *et seq.*,

16 Plaintiff,

17 v.

18 KMV FARM LABOR INC., a California
19 corporation, and DOES 1 through 10,
inclusive,

20 Defendants.
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FILED
06/08/2025

FRESNO COUNTY SUPERIOR COURT
By eagonzalez DEPUTY

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5/16/2025 1:37 PM
FRESNO COUNTY SUPERIOR COURT
By: A. Hoffman, Deputy

CASE NO: 25CECG00508

Assigned to the Hon. D. Tyler Tharpe, Dept. 501

**PLAINTIFF’S REQUEST FOR DISMISSAL
OF REPRESENTATIVE ACTION;
~~PROPOSED~~ ORDER**

[Filed Concurrently: Declaration of Daniel F.
Gaines in Support of Request for Dismissal of
Representative Action]

Complaint Filed: January 30, 2025

1 **REQUEST FOR DISMISSAL**

2 Based on the facts set forth in the concurrently-filed Declaration of Daniel F. Gaines, Plaintiff
3 Sergio Cortes Lara ("Plaintiff") hereby requests that the Court enter a dismissal of this action **WITH**
4 **PREJUDICE** as to Plaintiff's individual claims and dismissal **WITHOUT PREJUDICE** as to the
5 representative action claims.

6 Dated: May 16, 2025

Respectfully submitted,
GAINES & GAINES, APLC

8 By: Daniel F. Gaines
9 DANIEL F. GAINES
10 Attorneys for Plaintiff

11 **~~PROPOSED~~ ORDER**

12 Based on the Request for Dismissal and the concurrently-filed Declaration of Daniel F.
13 Gaines, it is hereby ORDERED that this action is dismissed WITH PREJUDICE as to Plaintiff's
14 individual claims and is dismissed WITHOUT PREJUDICE as to the representative action claims.

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16 Dated: 6/8/2025


JUDGE OF THE SUPERIOR COURT

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_____ (For messenger) my business address is:

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(BY ☐ 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.

XX (BY ELECTRONIC SERVICE) Based on an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above.

Executed on May 16, 2025, at Westlake Village, California.

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PROOF OF SERVICE