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FRESNO COUNTY SUPERIOR COURT
By: Estela Gonzalez, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
CIVIL UNLIMITED DIVISION

ROGELIO ORNELAS, an individual and on
behalf of others similarly situated;

Plaintiffs,

v.

FOSTER POULTRY FARMS, LLC, a
California Limited Liability Company; and
Does 1 through 50, inclusive,

Defendants.

Case No.: 24CECG05621

**[PROPOSED] ORDER GRANTING
REQUEST FOR DISMISSAL OF PAGA
AND CLASS ACTION ALLEGATIONS
WITHOUT PREJUDICE PURSUANT
TO CAL. R. COURT, RULE 3.770**

Assigned to: Hon. Gamoian
Department: 403

Complaint Filed: December 31, 2024

Pursuant to California Rule of Court 3.770, and based on the Declaration of Lenden F.
Webb, and for good cause shown, **IT IS HEREBY ORDERED AS FOLLOWS:**

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1 The PAGA and class claims, only, as alleged in Plaintiff's Complaint, shall be
2 dismissed without prejudice and without notice to the unnamed putative class members
3 pursuant to California Rule of Court 3.70(c). The dismissal of the PAGA and class claims will
4 have no *res judicata* or collateral estoppel effect should any claim be brought by any additional
5 person other than Plaintiffs, including claims identical or substantially similar to Plaintiff's
6 claims in this case.

7 **IT IS SO ORDER.**

8
9 Dated: 3/31/2025



Hon. Lisa Gamoian

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action; my business address is: 466 West Fallbrook Avenue, Suite 102, Fresno, California 93711. My email address is **Service@WebbLawGroup.com**.

On **March 20, 2025**, I served the document(s) described as:

- 1. Declaration of LFW Re. Request for Dismissal of Class Claims**
- 2. Dismissal of PAGA and Class Allegations - PROPOSED Order**

on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope at: San Diego, California, addressed as follows:

Eric E. Hill, Esq. (SBN 173247)
SEYFARTH SHAW LLP
560 Mission Street
Suite 3100
San Francisco, CA 94105
Telephone: (415) 544-1037
Email: EHill@seyfarth.com
Attorney for Defendant

 (BY MAIL) I am readily familiar with this business' practice for collection and processing of correspondence for mailing, and that correspondence, with postage thereon fully prepaid, will be deposited with the U.S. Postal Service on the date hereinabove in the ordinary course of business, at San Diego, California.

XX (BY E-MAIL) I caused the above-referenced document(s) to be electronically mailed to the offices of the addressee(s) as a courtesy, pursuant to an applicable code or a valid stipulation. (***No stipulation for email service, send as courtesy only***) I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on **March 20, 2025**, at San Diego, California

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



MADELEINE E. DEARIEN