

Kevin A. Lipeles (Bar No. 244275)
Thomas H. Schelly (Bar No. 217285)
Jasmine J. Badawi (Bar No. 335433)
LIPELES LAW GROUP, APC
880 Apollo Street, Suite 336
El Segundo, California 90245
Telephone: (310) 322-2211
Fax: (310) 322-2252

Attorneys for Plaintiff,
AIDA GARCIA

Natalie B. Fujikawa (Bar No. 258724)
GORDON REES SCULLY MANSUKHANI
3 Parkcenter Drive, Suite 200
Sacramento, California 95825
Telephone: 916-565-2900
Fax: 916-920-4402

Attorneys for Defendant
GOOD EARTH NATURAL FOODS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF MARIN**

AIDA GARCIA, an individual, on her
own behalf and on behalf of all others
similarly situated,

Plaintiffs,

vs.

GOOD EARTH NATURAL FOODS,
INC. a California corporation; and DOES
1 through 100, inclusive,

Defendants.

CASE NO.: CV0002956

[Assigned for all purposes to Hon. Sheila Lichtblau,
Dept. H]

**JOINT REQUEST TO VOLUNTARILY
DISMISS INDIVIDUAL CLAIMS ASSERTED
AGAINST ALL DEFENDANTS WITH
PREJUDICE AS TO PLAINTIFF AND
WITHOUT PREJUDICE AS TO ABSENT
CLASS MEMBERS; [PROPOSED] ORDER**

Action Filed: May 24, 2024

Trial Date: Not Set.

**JOINT REQUEST TO VOLUNTARILY DISMISS INDIVIDUAL CLAIMS ASSERTED AGAINST ALL
DEFENDANTS WITH PREJUDICE AS TO PLAINTIFF AND WITHOUT PREJUDICE AS TO ABSENT
CLASS MEMBERS; [PROPOSED] ORDER**

1 Plaintiff AIDA GARCIA ("Plaintiff") and Defendant GOOD EARTH NATURAL
2 FOODS ("Defendant") (Plaintiff and Defendant are hereinafter collectively, the "Parties"),
3 hereby submit a joint request for an Order of this Court dismissing, with prejudice, Plaintiff's
4 individual claims asserted against all defendants in this action and dismissing, without prejudice,
5 claims asserted as to absent putative Class Members.

6 **I. INTRODUCTION**

7 Pursuant to California Rules of Court, Rule 3.770, the Parties jointly request a dismissal with
8 prejudice of his class claims, as set forth in Plaintiff's Complaint filed on May 24, 2024, in this
9 action ("Complaint").

10 Neither the Parties nor any absent class members will incur any undue prejudice owing to the
11 requested dismissal and should any absent putative class member wish to pursue his or her claims
12 against any of the defendants, he or she will remain free to do so subject to the applicable statutes
13 of limitation. Thus, the Parties request that the Court grant the relief requested herein without
14 hearing.

15 **II. BACKGROUND**

16 On May 24, 2024, Plaintiff filed an employment class action complaint alleging
17 defendants violated various wage and hour and unfair competition laws and sought relief on
18 behalf of current and former California employees who worked for Good Earth.

19 The period covered by the class action complaint is May 24, 2024, to the present. Badawi
20 Decl., ¶ 4. The parties, through counsel, engaged in informal discovery.

21 **III. LEGAL STANDARD**

22 Code of Civil Procedure section 382 authorizes a class action when the question is one of
23 common or general interest, of many persons, or when the parties are numerous, and it is
24 impractical to bring them all before the court . . ." Soderstedt v. CBIZ S. Cal., LLC, 197
25 Cal.App.4th 133, 142-43 (2011) (internal citations omitted).

26 Pursuant to California Rules of Court, Rule 3.770(a), "[a] dismissal of an entire class
27 action, on of any party or cause of action in a class action, requires court approval." Cal.R.Ct.

1 3.770(a). A request for dismissal in class action requires the submission of a supporting
2 declaration setting forth the facts on which the parties rely. *Id.* The declaration must state whether
3 consideration, direct or indirect, is being given for the dismissal. *Id.* Where the Court has not
4 ruled on class certification, the action may be dismissed without notice to the potential class
5 members if the Court finds the dismissal will not prejudice them. Cal.R.Ct. 3.770(c). The Court
6 may grant the request without a hearing. Cal.R.Ct. 3.770(b).

7 **IV. PLAINTIFF VOLUNTARILY OPTS TO DISMISS HER CLASS CLAIMS**

8 Plaintiff has decided to voluntarily dismiss her class claims. Accordingly, the Parties
9 hereto respectfully request that the Court dismiss Plaintiff's individual claims with prejudice and
10 dismiss the class claims without prejudice as to absent putative Class Members.

11 **V. CONSIDERATION RECEIVED BY PLAINTIFF**

12 Plaintiff has received no consideration, and no consideration will exchange hands in
13 connection with Plaintiff's decision to voluntarily dismiss the putative class claims with prejudice
14 as to Plaintiff and without prejudice as to absent Class Members. Badawi Decl., ¶ 6.

15 **VI. NOTICE TO THE CLASS IS NOT REQUIRED**

16 The Court need not order the parties to disseminate notice of dismissal because the typical
17 reasons for notifying absent class members are not present here.

18 Plaintiff has not moved for class certification, no unnamed class members have been
19 notified of this action, and Plaintiff's counsel is unaware of any putative class members who have
20 refrained from bringing a similar claim in reliance on the existence of this action.

21 Further, the putative class members will not be prejudiced by dismissal of this action
22 because their claims are being dismissed without prejudice and shall have no effect on the rights
23 of absent putative Class Members to bring a subsequent action. Badawi Decl., ¶ 7. Because there
24 is no prejudice to the putative class, notice of dismissal to these putative class members is not
25 required. Cal R.Ct. Rule 3.770(c).

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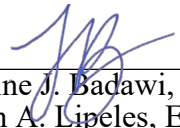
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VII. CONCLUSION

Based on the foregoing, the Parties hereto respectfully request that this Court enter an Order dismissing the claims in this action with prejudice as to Plaintiff, and without prejudice as to absent putative Class Members, pursuant to California Rule of Court 3.770

Date: August 08, 2025,

LIPELES LAW GROUP, APC

By: 

Jasmine J. Badawi, Esq.
Kevin A. Lipeles, Esq.
Thomas H. Schelly, Esq.
Attorneys for Plaintiff
AIDA GARCIA

Date: August 08, 2025,

GORDON REES SCULLY MANSUKHANI

By: ://Natalie B. Fujikawa

Natalie B. Fujikawa, Esq.
Attorneys for Defendant
GOOD EARTH NATURAL FOODS

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[PROPOSED] ORDER

The Court, having considered the Parties' Joint Request to Voluntarily Dismiss Plaintiff's Claims Asserted against All Defendants with Prejudice and without Prejudice as to Absent Class Members and good cause appearing, issues the following Order:

IT IS HEREBY ORDERED that Plaintiff's claims asserted against all defendants in the Complaint are hereby dismissed with prejudice as to Plaintiff, and the putative class claims asserted against all defendants in the Complaint are hereby dismissed without prejudice as to absent putative Class Members.

IT IS SO ORDERED.

DATED:

08/20/2025



HONORABLE SHEILA LICHTBLAU
JUDGE OF THE SUPERIOR COURT IN
AND FOR THE COUNTY OF MARIN

CERTIFICATE OF SERVICE

I certify and declare that I am over the age of 18 years and not a party to this action and that my place of employment is in the County of Los Angeles, State of California, located at 880 Apollo St., Suite 336, El Segundo, California 90245.

On this date hereon, I served a true copy of the following document(s):

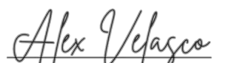
**REQUEST TO VOLUNTARILY DISMISS INDIVIDUAL CLAIMS ASSERTED
AGAINST ALL DEFENDANTS WITH PREJUDICE AS TO PLAINTIFF AND
WITHOUT PREJUDICE AS TO ABSENT CLASS MEMBERS; [PROPOSED] ORDER**

☐ by personally delivering it to the person(s) indicated below in the manner as provided by Rule of the California Rules of Civil Procedure; ☐ by transmitting it via facsimile machine to a telephone number listed below and known or represented to me to be the receiving telephone number for the facsimile copy transmission of the parties/persons/firms listed below; ☒ by transmitting it via electronically to the electronic mail address listed below; ☐ by overnight delivery service to be delivered the next day to the parties/persons/firms listed below; ☐ by United States Mail – First Class Postage to the parties/persons/firms listed below:

GORDON REES SCULLY MANSUKHANI Natalie B. Fujikawa, Esq. 3 Parkcenter Drive, Suite 200 Sacramento, CA 95825 Telephone: 916-565-2900 Fax: 916-920-4402 E: nfujikawa@grsm.com ;	Attorneys for Defendant
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

Executed on August 8, 2025 at El Segundo, California 90245.


Alex Velasco