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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAURA GUTILLA,

 Plaintiff,

 v.

AEROTEK, INC. a corporation; and DOES
1-100, inclusive,

 Defendants.

No. 1:15-cv-00191-DAD-BAM

ORDER DIRECTING PARTIES TO SUBMIT
SUPPLEMENTAL BRIEFING REGARDING
APPROVAL OF SETTLEMENT

(Doc. No. 29)

On February 1, 2017, the parties filed a joint stipulation for approval of a settlement pursuant to California’s Private Attorney General Act (“PAGA”). (Doc. No. 29.) Therein, the parties stated that after engaging in mediation, they agreed to a settlement of plaintiff’s representative claims under PAGA. Accordingly, they now seek the court’s approval of the parties’ settlement as to those claims.

Under California law, the trial court must “review and approve” any settlement of claims brought pursuant to PAGA. Cal. Lab. Code § 2699(l)(2). In order to review and approve the proposed settlement agreement, however, this court must have before it a copy of the fully executed agreement, or alternatively, a sworn declaration summarizing all relevant terms of the agreement as it pertains to plaintiff’s PAGA claims. Accordingly, the court hereby orders the parties to file a copy of the proposed settlement agreement if it has not already been provided in full, or alternatively, a sworn declaration describing all relevant terms of the agreement. In

1 addition, the court directs the parties to submit briefing regarding the appropriate standard of
2 review this court is to apply in considering and approving a settlement agreement pertaining to
3 PAGA claims.

4 For the reasons set forth above,

- 5 1. The parties are directed to file a supplemental brief, not to exceed five pages, by no later
6 than March 6, 2017, (a) addressing the applicable standard of review in approving
7 settlements of claims brought pursuant to PAGA, (b) identifying relevant authority, if any,
8 to support their position, (c) addressing the reasons approval should be granted in light of
9 the applicable legal standard;
- 10 2. The parties are further directed to file a copy of the fully executed settlement agreement,¹
11 or alternatively a sworn declaration describing all relevant terms of the agreement, on
12 which the court may base its decision by no later than March 6, 2017; and
- 13 3. A hearing on final approval of settlement is set for March 21, 2017, at 9:30am in
14 Courtroom 5 before District Judge Dale A. Drozd.

15 IT IS SO ORDERED.

16 Dated: February 9, 2017

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19 UNITED STATES DISTRICT JUDGE

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26 ¹ To the extent the parties' settlement agreement includes provisions that do not pertain to
27 plaintiffs' PAGA claims and that do not require court approval, the parties may request to file
28 portions of the agreement under seal in accordance with this court's Local Rules and upon a
showing that "compelling reasons" support such secrecy. *See Kamakana v. City & Cty. of
Honolulu*, 447 F.3d 1172, 1178–80 (9th Cir. 2006).