1 Galen T. Shimoda (Cal. State Bar No. 226752) Justin P. Rodriguez (Cal. State Bar No. 278275) 2 Shimoda Law Corp. 9401 East Stockton Boulevard, Suite 200 Elk Grove, CA 95624 3 Telephone: (916) 525-0716 Facsimile: (916) 760-3733 4 Email: attorney@shimodalaw.com 5 jrodriguez@shimodalaw.com 6 Attorneys for Plaintiff SCARLETTE MEJIA on behalf of herself and similarly situated employees 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 SCARLETTE MEJIA, as an individual and) Case No. 2:17-CV-00570-TLN-KJN 11 on behalf of all others similarly situated, **CLASS ACTION** 12 Plaintiffs. 13 STIPULATION AND ORDER **DISMISSING CLASS ACTION** VS. 14 CLAIMS WITHOUT PREJUDICE, FARMLAND MUTUAL INSURANCE **DISMISSING PRIVATE ATTORNEYS** 15 COMPANY, an Iowa corporation; GENERAL ACT CLAIMS WITHOUT 16 FARMLAND MUTUAL INSURANCE PREJUDICE, AND DISMISSING CO, an unincorporated association; PLAINTIFF'S INDIVIDUAL CLAIMS 17 NATIONWIDE MUTUAL INSURANCE WITH PREJUDICE; DECLARATION COMPANY, an Ohio corporation; and OF JUSTIN P. RODRIGUEZ IN 18 DOES 1 to 100, inclusive, SUPPORT THEREOF 19 Defendants. 20 21 This Stipulation and Proposed Order is entered into between Plaintiff SCARLETTE MEJIA 22 ("Plaintiff") and Defendants FARMLAND MUTUAL INSURANCE COMPANY, FARMLAND 23 MUTUAL INSURANCE CO, and NATIONWIDE MUTUAL INSURANCE COMPANY 24 ("Defendants") (Plaintiff and Defendant all collectively, the "Parties"), by and through their counsel of 25 record, as follows: 26 27 28

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STIPUL	AT	ION
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	STIPULATION					
	WHEREAS the above entitled action by was initiated by the filing of a complaint on or about					
	February 3, 2017 against Defendants in the Sacramento Superior Court, Case No. 34-2017-00207507;					
	WHEREAS on February 3, 2017, Plaintiff provided notice to the Labor and Workforce					
	Development Agency ("LWDA") of her intent to bring a representative claim under the Private					
	Attorneys General Act ("PAGA");					
	WHEREAS the LWDA did not provide any response to this notice and as such Plaintiff became					
	authorized to bring a PAGA claim on behalf of herself and other aggrieved employees;					
	WHEREAS Defendants removed the action to the United States District Court for the Eastern					
	District of California on or about March 16, 2017;					
	WHEREAS Plaintiff filed a First Amended Complaint, Case No. 2:17-CV-00570-TLN-KJN;					
	WHEREAS Defendants filed a Motion to Dismiss Plaintiff's First Amended Complaint and					
	Strike Class Allegations on or about June 29, 2017;					
	WHEREAS on June 26, 2017, the Court granted Defendants' Motion in part and denied it in					
	part;					
	WHEREAS no motion for certification of this matter has been filed or has been scheduled to be					
	filed;					
	WHEREAS in order to avoid the risks and expenses associated with continued litigation, the					
	Parties now wish to dismiss the PAGA claims without prejudice and dismiss the class claims and					
	allegations without prejudice;					
	IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, subject to the					
	approval of the Court, as follows:					
	1. That the PAGA claims alleged in Plaintiff's First Amended Complaint shall be dismissed					
	without prejudice;					
	2. That the claims of any putative class member, class claims, and/or class allegations shall					
l	he dismissed without prejudice:					

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1	3.	3. That Plaintiff's individual claims shall be dismissed with prejudice; and				
2	4.	All parties shall bear their own attorney's fees and costs.				
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4	DATED: July	25, 2018		Shimoda Law Corp.		
5			D	//I .: D.D. I :		
6			Ву:	/s/ Justin P. Rodriguez Galen T. Shimoda, Esq.		
7				Justin P. Rodriguez, Esq. Attorneys for Plaintiffs		
8				recomeys for Figure 113		
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10	DATED: July	25, 2018		Littler Mendelson P.C.		
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12			Ву:	/s/ Barbara A. Blackburn		
13				Barbara A. Blackburn, Esq. (as authorized on 7/25/18)		
14				Attorney for Defendant		
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ORDER

The Court, having considered the above stipulation and the declaration of Plaintiff's Counsel filed in support thereof, HEREBY ORDERS the following:

- 1. That the PAGA claims alleged in Plaintiff's First Amended Complaint be dismissed without prejudice;
- 2. That the claims of any putative class member, class claims, and/or class allegations shall be dismissed without prejudice;
 - 3. That Plaintiff's individual claims shall be dismissed with prejudice; and
 - 4. All parties shall bear their own attorney's fees and costs.

FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

DATED: August 10, 2018

Troy L. Nunley

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United States District Judge