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Attorneys for Defendants
 BioReference Laboratories, Inc. and
 18 OPKO Health, Inc.

19 UNITED STATES DISTRICT COURT
 20 EASTERN DISTRICT OF CALIFORNIA

21 DENISE LOPEZ, individually and on behalf of others
 22 similarly situated,

23 Plaintiff,

24 v.

25 BIO-REFERENCE LABORATORIES, INC. a New
 Jersey corporation; OPKO HEALTH, INC., a
 26 Delaware Corporation; and Does 1 through 50,
 inclusive,

27 Defendants.
 28

Case No. 2:21-cv-02063-DJC-DB

Assigned to Hon. Daniel J. Calabretta

**JOINT STIPULATION TO DISMISS
 CASE; ORDER**

1 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 It is hereby stipulated by and between the Plaintiff DENISE LOPEZ (“Plaintiff”) and
3 Defendants BIOREFERENCE HEALTH, LLC (formerly known as BioReference Laboratories, Inc.)
4 and OPKO HEALTH, INC. (“Defendants”) (collectively the “Parties”), by and through their respective
5 attorneys of record, as follows:
6

7 **RECITALS**

8 **WHEREAS**, on October 5, 2021, Plaintiff filed the instant Class Action Complaint in the
9 Superior Court of the State of California, County of Amador (“Class Action”). (ECF No. 1-1.) On
10 November 8, 2021, Defendants removed the Class Action Complaint to this Court;

11 **WHEREAS**, on December 21, 2021, Plaintiff filed a separate Private Attorneys General Act
12 (“PAGA”) complaint in the Superior Court for the State of California, County of Los Angeles, case
13 number 21STCV46533 (“PAGA Action”), which alleges the same wage and hour violations against
14 the same Defendants as the instant matter;
15

16 **WHEREAS**, on December 13, 2022, the Parties participated in a private mediation session with
17 mediator Deborah Crandall Saxe and reached an agreement in principle to settle both the instant matter
18 and the PAGA Action;

19 **WHEREAS**, the Parties agreed, for purposes of settlement only, to seek approval of Plaintiff’s
20 Class Action and PAGA Action in the Los Angeles County Superior Court, and staying the instant
21 matter during the settlement approval process;
22

23 **WHEREAS**, on January 4, 2023, the Parties filed their Notice of Settlement and Joint
24 Stipulation and [Proposed] Order to Stay the Action (ECF No. 22);

25 **WHEREAS**, on January 11, 2023, the Court executed the Order staying this Action while the
26 Parties sought approval of their global settlement in the Los Angeles County Superior Court and
27 ordered the Parties to file a stipulated request for dismissal of this Action within seven (7) days after
28

1 the Los Angeles County Superior Court entered judgment (ECF No. 23); and

2 **WHEREAS**, on November 2, 2023, the Los Angeles County Superior Court granted final
3 approval of the global settlement and executed the Final Order and Judgment.

4 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** between the Parties,
5 by and through their Counsel of record, as follows:

- 6
- 7 1. This case is dismissed with prejudice.

8 **IT IS SO STIPULATED.**

9

10 DATED: November 9, 2023

PROTECTION LAW GROUP, LLP

11

12 By: /s/ Heather Davis

13 Heather Davis
14 Amir Nayebdadash
15 Priscilla Gamino
Attorneys for Plaintiff
Denise Lopez

16 DATED: November 9, 2023

SEYFARTH SHAW LLP

17

18 By: /s/ Michelle L. DuCharme (as authorized on 11/9/23)

19 Eric M. Lloyd
20 Michelle L. DuCharme
21 Bradley D. Doucette
Attorneys for Defendants
22 BioReference Laboratories, Inc. and
23 OPKO Health, Inc.

