

1 David Mara, Esq. (230498)
 2 Jill Vecchi, Esq. (299333)
 MARA LAW FIRM, PC
 2650 Camino Del Rio North, Suite 302
 San Diego, California 92108
 Telephone: (619) 234-2833
 Facsimile: (619) 234-4048
 Email: dmara@maralawfirm.com
 jvecchi@maralawfirm.com

Attorneys for Plaintiff ROGELIO CARRILLO,
 on behalf of himself, all others similarly situated,
 and on behalf of the general public

Samantha C. Grant, Esq. (198130)
 REED SMITH LLP
 1901 Avenue of the Stars, Suite 700
 Los Angeles, California 90067-6078
 Telephone: (310) 734-5200
 Facsimile: (310) 734-5299
 Email: sgrant@reedsmith.com

Jeffrey Elkrief, Esq. (321030)
 REED SMITH LLP
 355 South Grand Avenue, Suite 2900
 Los Angeles, California 90071-1514
 Telephone: (213) 457-8000
 Facsimile: (213) 457-8080
 Email: jelkrief@reedsmith.com

Attorneys for Defendant SIEMENS MOBILITY, INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROGELIO CARRILLO on behalf of
 himself, all others similarly situated,
 and on behalf of the general public,
 Plaintiffs,
 v.
 SIEMENS MOBILITY, INC.; and
 DOES 1-100,
 Defendants.

Case No. 2:24-cv-00556-KJM-CKD
**STIPULATION TO CONSOLIDATE
 PAGA ACTION WITH CLASS
 ACTION; ORDER THEREON**
 Judge: Hon. Kimberly J. Mueller
 Courtroom: Three (3)
 Complaint Filed: January 19, 2024
 Action Removed: February 21, 2024
 Trial Date: None Set

1 Plaintiff Rogelio Carrillo (“Plaintiff”) and Defendant Siemens Mobility, Inc.
2 “Siemens”) (collectively, “the Parties”) hereby enter into the following stipulation,
3 through their duly authorized respective counsel of record, with reference to the
4 following facts:

5 WHEREAS, on or about January 19, 2024, Plaintiff filed the instant putative
6 class action against Siemens entitled *Rogelio Carrillo v. Siemens Mobility, Inc. et*
7 *al.*, in Sacramento County Superior Court, Case No. 24CV000901 (the “Class
8 Action”).

9 WHEREAS, Siemens subsequently removed the Class Action on February
10 21, 2024 to the U.S. District Court for the Eastern District of California, Case No.
11 2:24-cv-00556-KJM-CKD.

12 WHEREAS, on January 29, 2024, Plaintiff filed a representative action
13 complaint for civil penalties pursuant to the Private Attorneys General Act of 2004
14 (Lab. Code §§ 2698 *et seq.*) in Sacramento County Superior Court, Case No.
15 24CV001497 against Siemens (the “PAGA Action”), which was predicated upon the
16 same underlying claims as the Class Action.

17 WHEREAS, Siemens removed the PAGA Action on February 28, 2024 to the
18 U.S. District Court for the Eastern District of California. The Court assigned the
19 PAGA Action a case number of 2:24-CV-00646-KJM-AC and the matter is also
20 currently assigned to this Courtroom.

21 WHEREAS, the Class Action and the PAGA Action present common
22 questions of law and fact and substantially similar claims as they both assert wage
23 and hour claims against Siemens for its alleged failure to: (1) pay straight time
24 wages; (2) pay all overtime wages; (3) provide meal periods; (4) provide rest periods;
25 (5) pay wages due at termination of employment; (6) provide itemized wage
26 statements; (7) adopt a compliant sick pay/paid time off policy and provide written
27 notice setting forth amount of sick leave available; and (8) reimburse for all business
28 expenses.

1 WHEREAS, the time period involved in the PAGA Action is wholly
2 subsumed by the time period involved in the Class Action.

3 WHEREAS, the PAGA Action and Class Action involve common parties as
4 the representative group alleged in the PAGA Action is wholly subsumed within the
5 putative class alleged in the Class Action, Rogelio Carrillo is the named plaintiff in
6 both the PAGA Action and the Class Action, and Siemens is the only defendant
7 named in the PAGA Action and Class Action.

8 WHEREAS, the same law firm is Plaintiff's counsel and the same law firm is
9 Siemens's counsel in both the PAGA Action and the Class Action.

10 WHEREAS, in the interests of judicial economy, consistency of rulings and
11 adjudications, and conservation of the Court's and the Parties' respective resources,
12 the Parties seek consolidation of the PAGA Action with the Class Action.

13 WHEREAS, the Parties agree that the Class Action and PAGA Action shall
14 be consolidated for all purposes, and the lead case shall be the Class Action.

15 NOW, THEREFORE, IT IS STIPULATED AND AGREED by the Parties,
16 subject to Court approval, that the PAGA Action (entitled *Rogelio Carrillo v. Siemens*
17 *Mobility, Inc. et al., et al.*, Case No. 2:24-CV-00646-KJM-AC) be consolidated for
18 all purposes with the Class Action, currently pending before this Court and the lead
19 case shall be the Class Action.

20
21 Dated: July 3, 2024

MARA LAW FIRM, PC

22
23 /s/ David Mara

24 David Mara

Jill Vecchi

25 Attorneys for Plaintiff

26 ROGELIO CARRILLO ON BEHALF OF
27 HIMSELF, ALL OTHERS SIMILARLY
28 SITUATED, AND ON BEHALF OF THE
GENERAL PUBLIC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: July 3, 2024

REED SMITH LLP

/s/ Samantha C. Grant
Samantha C. Grant
Jeffrey Elkrief
Attorneys for Defendant
SIEMENS MOBILITY, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Having considered the Parties' Stipulation and good cause appearing, IT IS
HEREBY ORDERED that:

The PAGA Action (Case No. 2:24-CV-00646-KJM-AC) shall be related and
consolidated for all purposes with the instant Class Action (Case No. 2:24-cv-00556-
KJM-CKD), also currently pending before this Court, and the lead case shall be the
Class Action. The Clerk shall reassign 2:24-CV-00646-KJM-AC to Magistrate
Judge Delaney.

The parties must now file all documents related to either action in the Class
Action (No. 2:24-cv-00556-KJM-CKD) and apply the caption of that action.

The clerk's office is directed to **relate and consolidate these cases, file a
copy of this order in both actions and close the PAGA Action** (Case No.
2:24-cv-00646-KJM-CKD).

IT IS SO ORDERED.

DATED: July 3, 2024.



CHIEF UNITED STATES DISTRICT JUDGE