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11
 12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN JOSE DIVISION**

16 LEONARDO ESPINOZA, and
 SERGIO ROQUE,

17 Plaintiffs,

18 vs.

19 C & C SECURITY PATROL, INC.,
 HERMENEGILDO COUGH,
 20 MARCEL LOEPZ, GILBERT
 MARTINEZ, and DOES 1-10

22 Defendants

Case No. C 08-1522 JW

**STIPULATION TO FILE PARTIES’
 STIPULATED REQUEST FOR COURT
 APPROVAL OF SETTLEMENT OF
 PLAINTIFFS’ CLAIMS UNDER THE
 CALIFORNIA LABOR CODE PRIVATE
 ATTORNEY GENERAL’S ACT UNDER
 SEAL**

[Signature]
[PROPOSED] ORDER

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1 Plaintiffs Leonardo Espinoza and Sergio Roque, (“Plaintiffs”) and Defendants C & C
2 SECURITY PATROL, INC., HERMENEGILDO COUGH, MARCEL LOEPZ, GILBERT
3 MARTINEZ (“Defendants”) (Plaintiffs and Defendants are referred to collectively as the
4 “Parties”), by and through their respective counsel, jointly request that the Court grant approval of
5 their request to file their Stipulated Request for Court Approval of Settlement Of Plaintiffs’
6 Claims Under the California Labor Code Private Attorney General’s Act under seal.

7 1. Plaintiffs filed the Complaint in this case on March 19, 2008, alleging among other
8 things, unpaid overtime under both California Labor Code and Fair Labor Standards Act
9 (“FLSA”).

10 2. Shortly after the Complaint was filed in this case, Defendant C&C Security Patrol
11 Inc. entered into a settlement agreement with United States Department of Labor (“DOL”) for its
12 alleged overtime violations under FLSA. Pursuant to that agreement, Plaintiff Roque and Plaintiff
13 Espinoza were paid or promised to be paid \$ 27,892.58 and \$ 11,502.94, respectively.

14 3. Despite the settlement with US DOL, parties continued to litigate this case, reached
15 a compromise at the eve of final pre-trial conference.

16 4. A portion of the settlement requires court approval under the statute based which
17 some of the claims are alleged. As such, parties will submit a stipulated request for court’s
18 approval of their proposed settlement.

19 5. Given the sensitive nature of the settlement, and given the fact that the
20 confidentiality is the crucial inducement for Defendants to enter into the compromised settlement,
21 Parties hereby jointly request the Court to order that their Stipulated Request for Court Approval
22 of Settlement Of Plaintiffs’ Claims Under the California Labor Code Private Attorney General’s
23 Act be sealed.

1 Dated: March 26, 2010

By /s/ Adam Wang
ADAM WANG
Attorneys for Plaintiffs

3 Dated: March 26, 2010


By: /s/ Sejal Thakkar
Sejal Thakkar
Attorney for Defendants

ORDER

6 IT IS HEREBY ORDERED, based upon good cause appearing, that the Stipulated Request
7 for Court Approval of Settlement of Claims under California Labor Code Private Attorney
8 General's Act be filed under seal.

9 IT IS SO ORDERED.

11 Dated: March 31, 2010



HON. JAMES WARE
United States District Court Judge