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Attorneys for Defendant

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE**

FELIX REY GUTIERREZ, individually, and on behalf of all others similarly situated,

Plaintiff,

v.

NEXT LEVEL DOOR & MILLWORK, INC., a California corporation, and DOES 1 through 10, inclusive,

Defendants.

Case No.: CVRI2105455

CLASS ACTION

[Harold W. Hopp, Dept. 1]

JOINT STIPULATION TO CONTINUE STATUS CONFERENCE AND RESERVE PRELIMINARY APPROVAL HEARING DATE; ~~PROPOSED~~ ORDER

Date: July 18, 2023
Time: 8:30 a.m.
Dept.: 1

Complaint filed: November 30, 2021
Trial date: Not set

Electronically RECEIVED by Superior Court of California, County of Riverside on 07/11/2023 02:43 PM - Jason B. Galkin, Executive Officer/Clerk of the Court By Jaime Hendrickson, Clerk

WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd, 12th Floor
Los Angeles, CA 90010-1137

1 **IT IS HEREBY STIPULATED AND AGREED BY THE BELOW PARTIES,**
2 **THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, AS FOLLOWS:**

3 **WHEREAS,** Plaintiff Felix Rey Gutierrez (“Plaintiff”) filed a wage-and-hour class action
4 complaint against Defendant Next Level Door & Millwork, Inc. (“Defendant,” and together
5 with Plaintiff, the “Parties”) on November 30, 2021;

6 **WHEREAS,** the Parties participated in private mediation on March 6, 2023 with well-
7 regarded mediator David Phillips, Esq., that resulted in a settlement in principle;

8 **WHEREAS,** on or around July 11, 2023, the Parties fully executed a long-form
9 settlement agreement;

10 **WHEREAS,** the Parties are in the process of finalizing the Motion for Preliminary
11 Approval and supporting documents, and anticipate having it filed within the next three days;

12 **WHEREAS,** the Parties have a Status Conference currently scheduled for July 18,
13 2023 at 8:30 a.m. in the above-entitled Court;

14 **WHEREAS,** the Parties have not yet reserved a hearing date for the Motion for
15 Preliminary Approval;

16 **WHEREAS,** in light of the foregoing and in an effort to preserve judicial resources, the
17 Parties respectfully request that the Status Conference scheduled for July 18, 2023 at 8:30
18 a.m. be continued to August 8, 2023 or a later date as may be convenient to the Court, or, in
19 the alternative, vacated;

20 **WHEREAS,** in light of the foregoing and in an effort to preserve judicial resources, the
21 Parties respectfully request that the hearing date for Plaintiff’s Motion for Preliminary
22 Approval be scheduled at the same time as the continued Status Conference (i.e., August 8,
23 2023) or to the earliest available date thereafter that is convenient for the Court.

24 **IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES HERETO,**
25 **THROUGH THEIR RESPECTIVE COUNSEL, AS FOLLOWS:**

- 26 1. The July 18, 2023 Status Conference is continued to August 8, 2023 or to a date
27 thereafter as the Court may deem proper, or, in the alternative, vacated;

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- 1 2. In the event the Court prefers to keep the July 18, 2023 Status Conference on
2 calendar, the Parties respectively submit this Joint Stipulation to apprise the Court
3 of the status of this case in advance of the Status Conference.
4 3. The Parties respectfully request to reserve a hearing date on Plaintiff’s Motion for
5 Preliminary Approval for August 8, 2023 or a date thereafter as the Court may
6 deem proper.

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8 Dated: July 11, 2023

Respectfully submitted,

WILSHIRE LAW FIRM

9
10 By: 

11 Justin F. Marquez
12 Benjamin H. Haber
13 Maxim Gorbunov

14 Attorneys for Plaintiff

15 Dated: July 11, 2023

**ATKINSON, ANDELSON, LOYA, RUUD &
ROMO**

16
17 By: 

18 William M. Betley
19 April L. Szabo

20 Attorneys for Defendant
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