

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 222239 NAME: Gregory Mauro, Esq. FIRM NAME: JAMES HAWKINS, APLC STREET ADDRESS: 9880 Research Dr CITY: Irvine STATE: CA ZIP CODE: 92618 TELEPHONE NO.: 949-387-7200 FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): Plaintiff Maichel Bentton	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME:	
PLAINTIFF/PETITIONER: Maichel Bentton DEFENDANT/RESPONDENT: Sevita Health, et al. OTHER:	CASE NUMBER: 22STCV06236
PROPOSED ORDER (COVER SHEET)	JUDICIAL OFFICER: Elihu M. Berle DEPT: 6

NOTE: This cover sheet is to be used to electronically file and submit to the court a proposed order. The proposed order sent electronically to the court must be in PDF format and must be attached to this cover sheet. In addition, a version of the proposed order in an editable word-processing format must be sent to the court at the same time as this cover sheet and the attached proposed order in PDF format are filed.

1. Name of the party submitting the proposed order:

Maichel Bentton

2. Title of the proposed order:

AMENDED [PROPOSED] ORDER GRANTING MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND .

3. The proceeding to which the proposed order relates is:

a. Description of proceeding: Motion for Final Approval of Class Action Settlement and Judgment

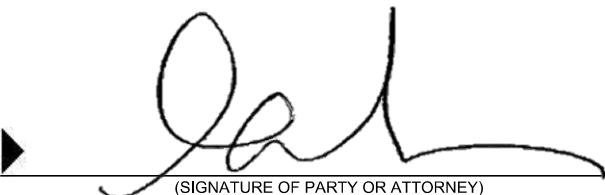
b. Date and time: 10/14/2024 at 9:00 am

c. Place: Dept. 6 - Spring Street Courthouse

4. The proposed order was served on the other parties in the case.

Gregory Mauro

(TYPE OR PRINT NAME)


 (SIGNATURE OF PARTY OR ATTORNEY)

CASE NAME: Bentton vs. Sevita Health, et al.	CASE NUMBER:
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**PROOF OF ELECTRONIC SERVICE
PROPOSED ORDER**

1. I am at least 18 years old and **not a party to this action.**

a. My residence or business address is (*specify*):

b. My electronic service address is (*specify*):

2. I electronically served the *Proposed Order (Cover Sheet)* with a proposed order in PDF format attached, and a proposed order in an editable word-processing format as follows:

a. On (*name of person served*) (*If the person served is an attorney, the party or parties represented should also be stated.*):

b. To (*electronic service address of person served*):

c. On (*date*):

☐ Electronic service of the *Proposed Order (Cover Sheet)* with the attached proposed order in PDF format and service of the proposed order in an editable word-processing format on additional persons are described in an attachment.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF DECLARANT)

_____
(SIGNATURE OF DECLARANT)

1 JAMES R. HAWKINS, SBN 192925
James R. Hawkins, Esq. (#192925)
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9 Attorneys for Plaintiff MAICHEL BENTTON, individually and on
10 behalf of all others similarly situated,

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF LOS ANGELES

13 MAICHEL BENTTON individually and
14 on behalf of all others similarly situated,

15 Plaintiff,

16 v.

17 SEVITA HEALTH, formerly known as
Mentor Network, Inc.; MENTOR
18 MANAGEMENT, INC., a business form
unknown; THE MENTOR NETWORK,
19 INC., a business form unknown; FIRST
STEP INDEPENDENT LIVING
20 PROGRAM, INC, a California
Corporation; and DOES 1-50, inclusive,

21 Defendants.
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Case Nos. 22STCV06236

ASSIGNED FOR ALL PURPOSES TO:

Hon. Elihu M. Berle

Dept. 6

**AMENDED [PROPOSED] ORDER
GRANTING MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND JUDGMENT**

Date: October 14, 2024

Time: 09:00 a.m.

Dept.: 6

1 This matter came on for hearing on October 14, 2024 at 09:00 a.m. in Department 6 of the
2 above-captioned Court on Plaintiff's Motion for Final Approval of Class Action Settlement,
3 Attorneys' Fees, Costs, and Judgment. For purposes of this Order and Judgment, the Court refers
4 to all defined terms (i.e. terms with initial capitalization) as set forth in the Amended Stipulation
5 of Settlement, (the "Settlement Agreement" or "Settlement"). Having received and considered the
6 Settlement Agreement, the supporting papers filed by the Parties, and the evidence and argument
7 received by the Court in conjunction with the Motion for Preliminary Approval of Class Action
8 Settlement, and the instant Plaintiff's Unopposed Motion for Final Approval, Attorneys' Fees,
9 Costs, Class Representative Service Award, and Entering of Final Judgment, the Court grants final
10 approval of the Settlement and HEREBY ORDERS AND MAKES THE FOLLOWING
11 DETERMINATIONS:

12 1. Pursuant to the Preliminary Approval Order, the Class Notice was mailed to all
13 members of the Class by first-class U.S. mail. The Notice informed the Class of the terms of the
14 Settlement, of their right to receive their proportional Individual Settlement Payment, of their right
15 to request exclusion from the Class and the Settlement, of their right to comment upon or object to
16 the Settlement and to appear in person or by counsel at the final approval hearing and of the date
17 set for the Final Approval hearing. Adequate periods of time were provided by each of these
18 procedures.

19 2. In response to the Notice, zero (0) members objected and zero (0) members
20 requested exclusion. There are no outstanding disputes regarding the Settlement.

21 3. The Court finds and determines that this notice procedure afforded adequate
22 protections to Class Members and provides the basis for the Court to make an informed decision
23 regarding approval of the Settlement based on the Class Members' response. The Court finds and
24 determines that the Notice provided in the Action was the best notice practicable, which satisfied
25 the requirements of law and due process.

26 4. The Court further finds and determines that the terms of the Settlement are fair,
27 reasonable and adequate to the Class and to each Class Member and that the Settlement is ordered
28 finally approved, and that all terms and provisions of the Settlement Agreement should be and

1 hereby are ordered to be consummated.

2 5. The Court has certified the Classes, as those terms are defined in and by the terms
3 of the Settlement Agreement, and the Court deems this definition sufficient for purposes of
4 California Rule of Court 3.765(a).

5 6. The Court hereby approves the terms set forth in the Settlement Agreement and
6 finds that the Settlement is, in all respects, fair, adequate, and reasonable, and directs the Parties to
7 effectuate the Settlement according to its terms. The Court finds that the Settlement was reached
8 as a result of informed and non-collusive arm's-length negotiations facilitated by a neutral
9 mediator. The Court further finds that the Parties conducted extensive investigation, research, and
10 discovery and that their attorneys were able to reasonably evaluate their respective positions. The
11 Court also finds that Settlement will enable the Parties to avoid additional and potentially
12 substantial litigation costs, as well as delay and risks if the Parties were to continue to litigate the
13 case. The Court has reviewed the monetary recovery provided as part of the Settlement and
14 recognizes the significant value accorded to the Class.

15 7. The Court hereby confirms James Hawkins, APLC as Class Counsel in this action.

16 8. The Court hereby confirms Plaintiff MAICHEL BENTTON as the Class
17 Representative in this action.

18 9. The Court finds and determines that the Individual Settlement Payments to Class
19 Members provided for by the terms of the Settlement to be paid to the Class are fair and
20 reasonable. The Court hereby gives final approval to and orders the payment of those amounts be
21 made to the participating members of the Class in accordance with the terms of the Settlement.

22 10. The Court finds and determines that payment to the California Labor and
23 Workforce Development Agency of \$37,500.00 as its share of the settlement of civil penalties in
24 this case is fair, reasonable, and appropriate. The Court hereby gives final approval to and orders
25 that the payment of that amount be paid in accordance with the Settlement.

26 11. The Court finds and determines the Class Representative Service Award in the sum
27 of \$7,500.00 to Plaintiff Bentton is fair and reasonable. The Court hereby orders the Administrator
28 to make this payment to the Plaintiff/Class Representatives in accordance with the terms of the

1 Settlement Agreement.

2 12. The Court finds and determines that the payment to be paid to the Settlement
3 Administrator, CPT Group, Inc. in the sum of \$12,500.00 for its fees and expenses incurred is fair
4 and reasonable. The Court hereby orders the Administrator to make this payment to itself in
5 accordance with the terms of the Settlement Agreement.

6 13. Pursuant to the terms of the Settlement, and the authorities, evidence and argument
7 submitted by Class Counsel, the Court hereby awards Class Counsel attorneys' fees in the sum of
8 \$347,500.00 and litigation costs of \$22,975.65. The Court finds such amounts to be fair and
9 reasonable. The Court hereby orders the Settlement Administrator to make these payments in
10 accordance with the terms of the Settlement Agreement.

11 14. Neither Defendant nor any related persons or entities shall have any further liability
12 for costs, expenses, interest, attorneys' fees, or for any other charge, expense, or liability, except as
13 provided for by the Settlement Agreement.

14 15. The Court finds and determines that the releases contained in the Settlement
15 Agreement and Amendment thereto is appropriate and shall bind all Class Members who did not
16 timely opt out of the Settlement.

17 16. Nothing in this Order shall preclude any action to enforce the Parties' obligations
18 pursuant to the Settlement Agreement or pursuant to this Order, including the requirement that
19 Defendant make payments to Participating Class Members in accordance with the Settlement
20 Agreement.

21 17. The Court finds and determines that nothing in the Settlement Agreement, this
22 Order, or the Judgment (1) is intended or will be construed as an admission of liability or
23 wrongdoing by Defendant or (2) may be offered or admitted in evidence against Defendant (other
24 than solely in connection with this Settlement).

25 18. The Court hereby enters final judgment in this case in accordance with the terms of
26 the Settlement Agreement, Preliminary Approval Order and this Order.

27 19. The Parties shall bear their own costs and attorneys' fees except as otherwise
28 provided for by the Settlement Agreement and this Court's Order Granting Final Approval.

20. Without affecting the finality of this Order in any way, the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation and enforcement of this order and the Settlement.

21. The Court sets an Order to Show Cause regarding the disbursement of the settlement for June 10, 2024 at 08:30 a.m. with a declaration from the settlement administrator regarding disbursement to be filed by June 10, 2024.

JUDGMENT

21. This document shall constitute a judgment for purposes of California Rules of Court, Rule 3.769(h). In accordance with, and for the reasons stated in this Order, judgment shall be entered within the meaning and for purposes of Code of Civil Procedure sections 577, 904.1(a), and Rules 3.769, and 8.104 of the California Rules of Court whereby named Plaintiffs/Class Representatives and all Class Members shall take nothing from Defendant except as expressly set forth in the Settlement Agreement, in conjunction with Plaintiff's Unopposed Motion for Final Approval of the Class Action Settlement. By operation of this Judgment, and in accordance with the Settlement Agreement, the Plaintiffs and each Participating Class Member shall be deemed to have fully, finally, and forever released, settled, compromised, relinquished, and discharged with respect to all Released Parties any and all Released Claims for any period during the Released Claims Period, as defined in the Settlement Agreement. Without affecting the finality of this Judgment, the Court pursuant to California Rule of Court 3.769(h) shall retain jurisdiction over the parties to enforce the terms of the Judgment.

IT IS SO ORDERED.

Dated: _____, 2024

Hon. Elihu M. Berle

JUDGE OF THE SUPERIOR COURT

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On October 14, 2024, I served on the interested parties in this action the following document(s) entitled:

**AMENDED [PROPOSED] ORDER GRANTING MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND JUDGMENT**

[XX] BY ELECTRONIC SERVICE: Via electronic filing service provider- electronically transmitting the documents listed above to CaseAnywhere, an electronic filing service provider, at www.caseanywhere.com pursuant to the Court's Order Authorizing Electronic Service. The transmission(s) was reported as complete and without error to the addresses as stated on the service list below.

(Service List Attached)

[XX] **STATE:** I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.

Executed on October 14, 2024, at Irvine, California

Alma Chavarin

Alma Chavarin

1 DELFINO MADDEN O'MALLEY COYLE & KOEWLER LLP
2 DANIEL J. COYLE (Bar No. 119274)
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Via LWDA Website Only

Labor and Workforce Development Agency
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1515 Clay Street, Ste 801
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<http://www.dir.ca.gov/Private-Attorneys-General-Act>