

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 03/21/2025

TIME: 01:30:00 PM

DEPT: CX105

JUDICIAL OFFICER PRESIDING: Randall J. Sherman

CLERK: J. Phu

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: C. Urinsco, None

CASE NO: **30-2021-01228182-CU-OE-CXC** CASE INIT.DATE: 10/22/2021

CASE TITLE: **Kim vs. Hoag Memorial Hospital Presbyterian**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 74517577

EVENT TYPE: Motion for Final Approval

APPEARANCES

Zorik Mooradian and Haik Hacopian, counsel from Mooradian Law APC are present remotely for plaintiffs Castillo and Martinez.

Farouk G. Mansour, counsel from Godes & Preis, LLP is present remotely for defendant Hoag Memorial Hospital Presbyterian.

Hearing held, all participants appearing remotely.

Tentative Ruling posted on the Internet.

"Plaintiffs Insook Ellen Kim, Yama Saidi and Jennifer Choi's Motion for Final Approval of Class Action Settlement is granted, except that the court approves plaintiffs' attorneys' fees only in the amount of \$1,325,000, and awards enhancement to plaintiffs Insook Ellen Kim, Yama Saidi and Jennifer Choi in the amount of \$5,000 each. The court concludes that a reasonable attorney fee in this case is 30% of the gross settlement amount, based on the amount of the settlement and the size of the class, whose members will receive an average payment of only about \$300, and the fact that a 30% fee award of \$1,325,000 will still result in a generous multiplier of about 2.22. A total of \$15,000 for enhancements is sufficient and proper for a class and settlement of this size. The court concludes that the \$4,750,000.00 class action and PAGA settlement, as approved, is fair, adequate and reasonable, and approves the following specific awards:

- \$1,325,000.00 to plaintiffs' counsel for plaintiffs' attorneys' fees, with 45%, or \$596,250.00, awarded to Aegis Law Firm, PC, 38.5%, or \$510,125.00, awarded to Quintilone & Associates, and 16.5%, or \$218,625.00, awarded to Capstone Law APC, reduced from the total \$1,583,333.33 requested;
- \$34,295.83 to plaintiffs' counsel Aegis Law Firm, PC for plaintiffs' attorney costs, as requested;
- \$5,000.00 each to plaintiffs Insook Ellen Kim, Yama Saidi and Jennifer Choi as enhancement awards, reduced from the \$10,000 each requested;
- \$43,250.00 to the Administrator, Phoenix Settlement Administrators, as requested; and
- \$150,000.00 to the LWDA for its share of PAGA penalties, as requested.

The total amount that will be payable to all class members and aggrieved employees if they are paid the amount to which they are entitled pursuant to the judgment is \$3,182,454.17.

The court overrules the objections of Monica Gabino. The grounds of her objections involve an alleged fraudulent conservatorship and a worker's compensation claim, but those matters have nothing to do with this settlement, and any such claims based on those matters are not being released by this settlement.

The court sets a Final Report Hearing for March 20, 2026 at 10:00 a.m. At least 16 days before the Final Report Hearing date, class counsel must file a summary accounting of the distribution of the settlement funds, identifying the distributions made pursuant to this ruling, as well as the number and total amount of any uncashed checks, and the status of any unresolved issues, such as to confirm whether distribution efforts are fully completed, including the distribution of the amount of the uncashed class member and aggrieved employee checks to Orange County Rescue Mission after 180 days, whether the Administrator's work is complete, and whether the court's file thus may be closed. The parties must report to the court the total amount that was actually paid to the class members, and submit an Amended Judgment or Amendment to Judgment that complies with CCP §§384(b) and 384.5, and Gov. Code §68520. Specifically, the Amended Judgment or Amendment to Judgment must state how much money is being paid to the nonparty, including any interest that accrued on the funds, and, if known, the purpose of the distribution to the nonparty and how it plans to expend the funds.

Plaintiffs must submit an amended Proposed Order and Judgment that is consistent with the ruling, and which provides how the parties will comply with CRC Rule 3.771(b), which states: "Notice of the judgment must be given to the class in the manner specified by the court." The notice may be included with the checks that are mailed to the class members or posted on the administrator's website.

Plaintiffs are ordered to give notice of the ruling to the LWDA and to defendant, and to file a Proof of Service within five days after service."

Discussions held between the Court and counsel regarding the validity of the opt outs of plaintiffs Fabiola Castillo and Norma Martinez.

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

Motion for Final Approval continued to 03/27/2025 at 10:00 AM in this department.

The Court approves the settlement. The only remaining issues are with the validity of the opt outs. Counsel are to file Declarations on the validity of the opt outs by no later than 3/25/2025.

Court orders defendant to give notice.