

COHELAN KHOURY & SINGER

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Jeff Geraci (SBN 151519)

jgeraci@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Tel: (619) 595-3001/Facsimile: (619) 595-3000

LAW OFFICES OF SAHAG MAJARIAN II

Sahag Majarian II (SBN 146621)

sahagii@aol.com

18250 Ventura Blvd.

Tarzana, CA 91356

Tel: (818) 609-0807/Facsimile: (818) 609-0892

Attorneys for Plaintiff EVA YANEZ, on behalf of herself
and all others similarly situated

SUPERIOR COURT OF CALIFORNIA

FOR THE COUNTY OF SANTA CLARA

EVA YANEZ, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

GARDNER FAMILY HEALTH
NETWORK, INC., a California corporation;
and DOES 1 through 10, Inclusive,

Defendants

Case No. 20CV364033

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Theodore C. Zayner
Department 19

CLASS ACTION

**NOTICE OF MOTION AND
MOTION FOR AN ORDER GRANTING
FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

Hearing Set by September 21, 2023 Order

Date: December 6, 2023

Time: 1:30 p.m.

Dept: 19

Judge: Hon. Theodore C. Zayner

Complaint filed: February 24, 2020

Trial date: Not set

PLEASE TAKE NOTICE, on December 6, 2023, at 1:30 p.m., or as soon as the matter may be heard in Department 19 of the above-captioned court at 191 North First Street, San Jose, California 95113, Honorable Theodore C. Zayner presiding, Eva Yanez, on behalf of herself and putative class, will move this Court for an Order Granting Final Approval of Class Action Settlement and Entering Judgment as set forth in the Joint Stipulation of Settlement and Release of Class Action filed November 23, 2022 ("Settlement Agreement").

Plaintiff moves this Court to:

1. Finally adjudicate the Settlement is fair, reasonable, and adequate;
2. Direct distribution of Individual Settlement Payments by the Settlement Administrator to all Participating Class Members and PAGA Aggrieved Employees in accordance with the Settlement Agreement;
3. Approve and direct payment to Class Counsel for their attorneys' fees in the sum of \$375,000.00 and reimbursement of their litigation costs of \$20,303.00;
4. Approve and direct the Class Representative Service Payment of \$5,000.00 to Plaintiff Eva Yanez;
5. Approve and direct the payment to CPT Group, Inc., the appointed Settlement Administrator, of \$10,639.23 for its fees and costs in administering the Settlement;
6. Approve the PAGA Payment to California's Labor and Workforce Development Agency of \$22,500.00 (75% of \$30,000.00); and,
7. Direct the Clerk of the Court to enter final judgment, and without affecting the finality of the final judgment, to reserve the Court's continuing jurisdiction over the Parties for the purposes of implementing, enforcing, effectuating, or administering the terms of the Settlement Agreement.

This motion is made on the grounds that the proposed Settlement, preliminarily approved by this Court on May 16, 2023, is the product of arms'-length, good-faith negotiations, is fair and reasonable to the Class, and should be finally approved, as more fully discussed in the accompanying Memorandum in Support of Final Approval.

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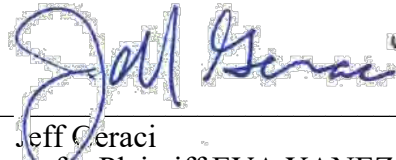
1 This motion is based on this Notice of Motion, the Memorandum of Points and
2 Authorities in Support, Declarations of Class Counsel Jeff Geraci and Sahag Majarian II,
3 Plaintiff Eva Yanez, and Chantal Soto-Najera on behalf of CPT Group, Inc., the Settlement
4 Agreement, Notice of Class Action Settlement, Order Granting Preliminary Approval of Class
5 Action Settlement issued May 16, 2023, the [Proposed] Order Granting Final Approval of Class
6 Action Settlement and [Proposed] Judgment, the Court's files in this matter, including but not
7 limited to, the Motion for Preliminary Approval of Class Action Settlement and supplemental
8 briefing, and any other documents or evidence the Court may consider at the hearing.

9 Respectfully submitted,

10 COHELAN KHOURY & SINGER
11 LAW OFFICES OF SAHAG MAJARIAN II

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13 Dated: November 9, 2023

14 By: _____



15 Jeff Geraci

16 Attorney for Plaintiff EVA YANEZ, on behalf of
17 herself and all others similarly situated
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