

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 Peter H. Kirwan
Department 19

CLASS ACTION

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

Date: TO BE ASSIGNED

Time: 9:00 a.m.

Dept: 19

Judge: Hon. Peter H. Kirwan

Complaint filed: February 24, 2020

Trial date: Not set

PLEASE TAKE NOTICE, on a date to be set by the Court, _____ at 9:00 a.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 Peter H. Kirwan presiding, Eva Yanez, on behalf of herself and putative class, will move this Court for an Order:

1. Preliminarily approving the Class Action and Private Attorney Generals Act Settlement as fair, adequate, and reasonable based upon the terms in the Joint Stipulation of Settlement and Release of Class Action ("Settlement Agreement"), and payment by Defendant Gardner Family Health Network, Inc. of the \$1,125,000 Gross Settlement Amount;

2. Conditionally certifying the case as a class action for settlement purposes only;

3. Approve mailing Notice of Class Action Settlement, with Change of Address Form, via first class U.S. Mail to Settlement Class Members;

4. Appointing Michael D. Singer and Jeff Geraci of Cohelan Khoury & Singer, and Sahag Majarian of Law Offices of Sahag Majarian II, as Class Counsel;

5. Appointing Plaintiff Eva Yanez as Class Representative;

6. Appointing CPT Group, Inc. as the Settlement Administrator;

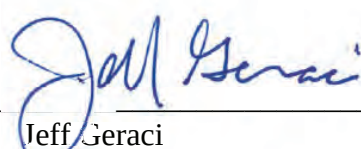
7. Setting a hearing date to consider final approval of the Settlement.

This motion is based on this Notice of Motion, Memorandum of Points and Authorities, Declarations of Jeff Geraci and Sahag Majarian II, Plaintiff Eva Yanez, and Julie Green for CPT Group, the Settlement Agreement, Notice of Class Action Settlement, [Proposed] Order Granting Preliminary Approval of Class Action Settlement, and the Court's files in this matter.

Respectfully submitted,

COHELAN KHOURY & SINGER
LAW OFFICES OF SAHAG MAJARIAN II

Dated: November 23, 2022

By: 
Jeff Geraci
Attorneys for Plaintiff EVA YANEZ, on behalf of
herself and all others similarly situated