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7 **SULLIVAN & YAECKEL LAW GROUP, APC**

8 2330 Third Avenue

9 San Diego, California 92101

10 (619) 702-6760 * (619) 702-6761 FAX

11 Attorneys for Plaintiff TAMARA WHITMER, in a Representative capacity, and on behalf of the
12 proposed class

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **COUNTY OF LOS ANGELES**

15 TAMARA WHITMER, in a Representative
16 capacity, and on behalf of the proposed class

CASE NO. 20CHCV00209

17 Plaintiff,

18 **PLAINTIFFS' NOTICE OF UNOPPOSED**
19 **MOTION FOR CONDITIONAL**
20 **CERTIFICATION OF SETTLEMENT**
21 **CLASS AND PRELIMINARY APPROVAL**
22 **OF GOOD FAITH DETERMINATION OF**
23 **CLASS ACTION SETTLEMENT**

24 v.

25 USP MISSION HILLS, INC., a California
26 Corporation, and DOES 1-10, inclusive

Date: January 12, 2022

Time: 8:30 am

Dept.: F49

Judge: Hon. Stephen P. Pfahler

27 Defendants

Reservation Number 329318924911

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1 TO ALL PARTIES HEREIN AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on January 12, 2022 at 8:30 am a.m. or as soon thereafter as the
3 matter may be heard in Department F49 of the above-entitled court, located at 9425 Penfield Avenue,
4 Chatsworth, California, the Honorable Stephen P. Pfahler, Plaintiff TAMARA WHITMER,
5 Individually and on behalf of the certified classes will and hereby does move this Court for preliminary
6 approval of good faith determination of class action settlement.

7 The unopposed request is based upon this Notice, the Memorandum of Points and Authorities
8 in support thereof, the Declaration of Eric K. Yaeckel, and the Settlement Agreement Attached thereto,
9 the Proposed Notice, the Proposed Order, and all other papers filed in this action, and upon such other
10 evidence and argument at the hearing.

11 **Please Note:** Pursuant to the Court's instructions, the Reservation Confirmation Notice is
12 attached hereto as **Exhibit A**.

13
14 Dated: December 7, 2021

SULLIVAN & YAECKEL LAW GROUP, APC

15 *Eric Yaeckel*

16 _____
17 William B. Sullivan
18 Eric K. Yaeckel
19 Attorneys for Plaintiff TAMARA WHITMER, in a
20 Representative capacity only, and on behalf of other
21 members of the general public similarly situated
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EXHIBIT A



Make a Reservation

TAMARA WHITMER vs USP MISSION HILLS, INC.

Case Number: 20CHCV00209 Case Type: Civil Unlimited Category: Other Employment Complaint Case
Date Filed: 2020-03-18 Location: Chatsworth Courthouse - Department F49

Reservation

Case Name: TAMARA WHITMER vs USP MISSION HILLS, INC.	Case Number: 20CHCV00209
Type: Motion to Confirm Settlement	Status: RESERVED
Filing Party: Tamara Whitmer (Plaintiff)	Location: Chatsworth Courthouse - Department F49
Date/Time: 01/12/2022 8:30 AM	Number of Motions: 1
Reservation ID: 329318924911	Confirmation Code: CR-FWC3WCXNVDRVPP3QD

Fees

Description	Fee	Qty	Amount
Motion to Confirm Settlement	60.00	1	60.00
Credit Card Percentage Fee (2.75%)	1.65	1	1.65
TOTAL			\$61.65

Payment

Amount: \$61.65	Type: Visa
Account Number: XXXX1036	Authorization: 065386

[Print Receipt](#)[+ Reserve Another Hearing](#)[View My Reservations](#)

1 *Whitmer v. USP Mission Hills, Inc.*
2 Superior Court of California, County of Los Angeles Orange
3 Case No. . 20CHCV00209

4 **DECLARATION OF SERVICE**

5 I, Eric K. Yaeckel, declare:

6 I am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not
7 a party to this action. My business address is 2330 Third Avenue, San Diego, California 92101.

8 On December 7, 2021, I served the following document(s):

- 9 **1. Notice of Plaintiff's Motion for Certification of Settlement Class and Preliminary**
- 10 **Approval of Good Faith Determination of Class Action Settlement;**
- 11 **2. Memorandum in Support of Plaintiff's Motion for Certification of Settlement Class and**
- 12 **Preliminary Approval of Good Faith Determination of Class Action Settlement;**
- 13 **3. The Declaration of Eric K. Yaeckel, and attached Exhibits, in Support thereof; and**
- 14 **4. [Proposed] Order**

15 on the parties in this action addressed as follows:

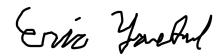
16 Evan R. Moses
17 Jennifer L. Katz
18 Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
19 400 South Hope Street, Suite 1200
20 Los Angeles, CA 90071
21 (213)239-9800; Fax (213)239-9045
22 *Attorneys for USP Mission Hills, Inc.*

23 **BY ELECTRONIC SERVICE (VIA E-FILING): &**

24 The Labor and Workforce Development Agency
25 Via - PAGA Electronic Filing Portal
26 (<https://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>)

27 **BY UPLOADING THE LISTED DOCUMENTS VIA THE PAGA ELECTRONIC FILING**
28 **PORTAL: as required pursuant to Labor Code 2699(1)(2).**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on December 7, 2021 at San Diego, California.



Eric K. Yaeckel