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ATTORNEYS FOR PLAINTIFF, IVANA LEBRON

SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
UNLIMITED JURISDICTION

IVANA LEBRON,

PLAINTIFF,

V.

SYCAMORE HEALTHCARE
ASSOCIATES, A CALIFORNIA
CORPORATION, AND DOES 1 THROUGH 10,
INCLUSIVE,

DEFENDANTS.

) CASE No. C20-00981

)
) **PLAINTIFF'S NOTICE OF MOTION**
) **AND UNOPPOSED MOTION FOR**
) **APPROVAL OF PAGA SETTLEMENT**

) DATE:
) TIME:
) DEPT: 21
) JUDGE: Hon. Jill C. Fannin

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT on _____

3 at _____, Plaintiff Ivana Lebron ("Lebron" or "Plaintiff") will move
4 this Court in Department 21 thereof, located at 725 Court Street, Martinez, CA 94553, for
5 approval of the Private Attorneys General Act ("PAGA") settlement reached in this case,
6 pursuant to Labor Code § 2699(1)(2). Specifically, Lebron moves the Court to approve
7 the settlement to resolve all PAGA claims in the Complaint, to be distributed as follows:
8 (1) \$50,000 to the State of California and PAGA Affected Employees (75% to the State
9 of California and 25% to PAGA Affected Employees), (2) \$2,500 to the Settlement
10 Administrator (Phoenix Class Action Administration Solutions), and (3) \$50,000 to
11 Plaintiff's counsel for attorney's fees and costs related to the PAGA settlement and the
12 settlement of Plaintiff's individual claims for \$25,000. Plaintiff's motion is unopposed.

13 The PAGA settlement is fair, adequate and reasonable. As set forth more fully in
14 the accompanying Memorandum of Points and Authorities, there were substantial risks
15 that Lebron would not prevail in this action, as Defendant Sycamore Healthcare
16 Associates claims employees waived meal and rest periods, Lebron did not properly
17 exhaust administrative notice requirements for certain claims, and the Court has
18 discretion to substantially reduce the civil penalties, among other things.

19 This motion is based upon this notice of motion and motion, the memorandum of
20 points and authorities, the declarations of Kevin F. Woodall and Lebron, and all other
21 documents and records on file in this action.

22
23 DATE: NOVEMBER 5, 2020

WOODALL LAW OFFICES

24
25 BY: 

26 KEVIN F. WOODALL
27 ATTORNEYS FOR PLAINTIFF, IVANA
28 LEBRON

PROOF OF SERVICE

I, Kevin F. Woodall, am a resident of the State of California and over the age of 18, and not a party to the within action; my business address is 100 Pine Street, Suite 1250, San Francisco, CA 94111.

ON NOVEMBER 9, 2020, I CAUSED TO BE SERVED THE DOCUMENT(S) DESCRIBED AS:

PLAINTIFF'S NOTICE OF MOTION AND UNOPPOSED MOTION FOR APPROVAL OF PAGA SETTLEMENT

PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF UNOPPOSED MOTION FOR APPROVAL OF PAGA SETTLEMENT

DECLARATION OF KEVIN WOODALL IN SUPPORT OF UNOPPOSED MOTION FOR APPROVAL OF PAGA SETTLEMENT

DECLARATION OF IVANA LEBRON IN SUPPORT OF UNOPPOSED MOTION FOR APPROVAL OF PAGA SETTLEMENT

[PROPOSED] ORDER GRANTING UNOPPOSED MOTION FOR APPROVAL OF PAGA SETTLEMENT AND JUDGMENT

on the following interested parties at the following address:

Jose-Manuel A. De Castro
De Castro Law Group
7590 N. Glenoaks Blvd., Suite 201
Los Angeles, CA 91504

Attorneys for Defendant, Sycamore Healthcare Associates

- ☐ (BY MAIL) I served the foregoing document(s) by U.S. mail. I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. This correspondence was deposited with the United States Postal Service this same day in the ordinary course of business at Corte Madera, California.
- ☐ (BY FACSIMILE) I transmitted via facsimile, the document(s) listed above to the fax number(s) set forth above on this date from Corte Madera, California. The transmitting facsimile machine telephone number is (415) 413-4629.
- ☐ (BY FEDEX GROUND) I served the foregoing document(s) by placing it in a sealed envelope or container provided by Federal Express, affixing a pre-paid air bill for ground delivery, and causing the envelope or container to be delivered to a Federal Express agent or depositing it in a box or other facility regularly maintained by Federal Express.
- ☐ (BY PERSONAL DELIVERY) I caused to be personally delivered the foregoing document(s) to the individual(s) at the address(es) listed above.
- ☒ (BY EMAIL and E-SERVICE) I served the foregoing documents by sending them via email to Defendant's counsel listed above, pursuant to agreement.

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Executed this November 9, 2020 at Cathedral City, California.

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



Kevin F. Woodall