

Jennie Lee Anderson, SBN 203586
jennie@andrusanderson.com
ANDRUS ANDERSON LLP
155 Montgomery Street, Suite 900
San Francisco, CA 94104
Telephone: (415) 986-1400
Facsimile: (415) 986-1474

Ellen A. Presby (Admitted pro hac vice)
ellen@vwplaw.com
VAN WEY, PRESBY & WILLIAMS, PLLC
12720 Hillcrest Road, Suite 600
Dallas, TX 75230
Telephone: (214) 329-1350
Facsimile: (800) 582-1042

Attorneys for Plaintiff

John F. Baum, SBN 148366
jbaum@hkemploymentlaw.com
Anna T. Pham, SBN 318001
apham@hkemploymentlaw.com
Michelle C. Freeman, SBN 318908
mfreeman@hkemploymentlaw.com
HIRSCHFELD KRAEMER LLP
456 Montgomery Street, Suite 2200
San Francisco, CA 94104-1255
Telephone: (415) 835-9000
Facsimile: (415) 834-0443

Reed E. Schaper, SBN 082792
rschaper@hkemploymentlaw.com
HIRSCHFELD KRAEMER LLP
233 Wilshire Boulevard, Suite 600
Santa Monica, CA 90401
Telephone: (310) 255-0705
Facsimile: (310) 255-0986

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KRISTINA EISENACHER, on behalf of
herself and other aggrieved employees,

Plaintiff,

vs.

VITAS HOSPICE SERVICES, L.L.C.;
VITAS HEALTHCARE CORPORATION
OF CALIFORNIA; VITAS
HEALTHCARE CORPORATION; and
DOES 1 through 100; inclusive,

Defendants.

CASE NO. 3:20-cv-04948-RS

[Alameda Superior Court Case No. RG20065278]

STIPULATED REQUEST AND PROPOSED
ORDER TO SHORTEN TIME FOR HEARING
ON MOTION TO APPROVE PAGA
SETTLEMENT

Date: March 25, 2021

Time: 1:30 p.m.

Judge: Honorable Richard Seeborg

Room: Courtroom 3

1 **STIPULATED REQUEST AND PROPOSED ORDER**
2 **TO SHORTEN TIME FOR HEARING ON MOTION TO APPROVE PAGA**
3 **SETTLEMENT**

4 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff, Kristina Eisenacher (“Plaintiff”), and
5 Defendants VITAS Hospice Services, L.L.C., et al. (collectively, “Defendants”), by and through
6 their respective counsel of record, hereby stipulate and request as follows:

7 WHEREAS, Plaintiff filed her Complaint (the “Complaint”) on June 16, 2020 (Dkt. No.
8 1-2) in the Superior Court of the State of California in Alameda County, and served Defendants
9 with the Summons and Complaint no earlier than June 24, 2020;

10 WHEREAS, Defendants removed this action to United States District Court for the
11 Northern District of California pursuant 28 U.S.C. §§ 1332(d), 1441, 1446, and 1453 on July 23,
12 2020;

13 WHEREAS, Parties have reached a settlement agreement, including as to any alleged
14 PAGA claims. As such, Plaintiff filed an unopposed Motion to Approve PAGA Settlement on
15 March 16, 2021. In an effort to expediate the settlement administration process, the Parties have
16 agreed to set a hearing date of March 25, 2021 at 1:30 p.m., if that date is agreeable with the Court;
17 and

18 WHEREAS, The Parties have not requested any prior extensions of time requiring a Court
19 order; and the Parties agree that this stipulation and request does not waive any right of the Parties
20 to agree to or request further extensions in this action.

21 IT IS HEREBY STIPULATED AND REQUESTED, pursuant to Civil Local Rules 6-2
22 and 7-12, that: the hearing on Plaintiff’s unopposed Motion to Approve PAGA Settlement is to
23 take place on March 25, 2021 at 1:30 p.m., subject to the court’s availability.

24 SO STIPULATED this 16 day of March, 2021.
25
26
27

1 Respectfully submitted,

2
3 Dated: March 16, 2021

ANDRUS ANDERSON LLP

4 By: /s/ Jennie Lee Anderson
Jennie Lee Anderson

5 Attorneys for Plaintiff

6
7 Dated: March 16, 2021

HIRSCHFELD KRAEMER LLP

8 By: /s/ John F. Baum
John F. Baum

9 Attorneys for Defendants

1 **[PROPOSED] ORDER**

2 As stipulated and pursuant to Civil Local Rules 6-2 and 7-12, the hearing on Plaintiff's
3 unopposed Motion to Approve PAGA Settlement is to take place on March 25, 2021 at 1:30
4 p.m., subject to the court's availability.

5 **IT IS SO ORDERED**

6
7 DATED: _____, 2021

8 HON. RICHARD SEEBORG
9 Judge of the United States District Court
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

Dated: March 16, 2021

ANDRUS ANDERSON LLP

By: /s/ Jennie Lee Anderson
Jennie Lee Anderson

Attorneys for Plaintiff

The undersigned hereby attests that, on March 16, 2021, she served a true and accurate copy of the foregoing on all parties through this Court's ECF filing system.

Dated: March 16, 2021

Respectfully submitted,

By: /s/ Jennie Lee Anderson
Jennie Lee Anderson

Attorneys for Plaintiff