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Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ANTONESHA HOSHAU, individually, and
on behalf of other members of the general
public similarly situated;

Plaintiff,

v.

SUTHERLAND HEALTHCARE
SOLUTIONS INC., a Delaware corporation;
and DOES 1 through 100, inclusive;

Defendants.

Case No.: 19STCV33165

Honorable Carolyn B. Kuhl
Department 12

CLASS ACTION

**PLAINTIFF'S SUPPLEMENTAL BRIEF IN
SUPPORT OF PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

[Supplemental Declaration of Proposed Class Counsel
(Douglas Han)]

Hearing Date: November 4, 2020
Hearing Time: 11:00 a.m.
Hearing Place: Dept. 12

Filed: September 18, 2019
FAC Filed: July 7, 2020
Trial: None Set

1 **SUPPLEMENTAL BRIEF IN SUPPORT OF PRELIMINARY APPROVAL**

2 **I. INTRODUCTION**

3 Plaintiff Antonesha Hoshaw (“Plaintiff”) sought preliminary approval of the Joint Stipulation
4 for Class Action Settlement. On November 2, 2020, the Court issued its Observations and
5 Requirements identifying several concerns the Court wanted addressed prior to preliminary approval.¹
6 Upon receipt of the Court’s Observations and Requirements Plaintiff met and conferred with
7 Defendant Sutherland Healthcare Solutions, Inc. (“Defendant”) (collectively, the “Parties”) to address
8 each of the concerns. (Supp. Han Dec., ¶ 3). Parties have prepared a proposed Amended Joint
9 Stipulation for Class Action Settlement² (“Amended Settlement”), revised the Notice of Class Action
10 Settlement and Hearing Date for Court Approval (“Class Notice”), and submits supplemental
11 declaration to address the Court’s concerns. (*Id.*)

12 **II. THE COURT’S CONCERNS IN THE TENTATIVE RULING HAVE BEEN**
13 **ADDRESSED**

14 **1. Amended Settlement Modifies the Effective Date Definition.**

15 The proposed Amended Settlement modifies the definition “Effective Final Settlement Date”
16 to make the settlement effective upon the funding of the settlement and the date the final approval of
17 the Settlement cannot be appealed. (*See* Declaration of Douglas Han “Han Dec.” Exhibit 2, redlined
18 version of the Amended Joint Stipulation for Class Action Settlement at §I.N.)

19 **2. Amended Settlement Allows an Additional 10 Days for Any Re-Mailed Notices.**

20 Section III.K.2.c has been modified in the proposed Amended Settlement provides for an
21 additional 10 days from the Response Deadline to provide a Request for Exclusion, Object or to
22 dispute the number of workweeks. (*See* Han Dec. Exhibit 2 at §III.K.2.c.)

23 **3. English Language Notice is Sufficient.**

24 The Class Members are a group of call center employees that provide support to its members in
25 enrollment, education and verification of health benefits and options. (*See* Han Dec. at ¶ 5.) Class
26

27 ¹ Attached as Exhibit “1” to Supplemental Declaration of Douglas Han (“Supp. Han Dec.”) is a true and correct copy of the
Court’s Observations and Requirements.

28 ² The Parties are seeking client signatures and will provide the fully executed version as soon as all of the signatures are
secured.

Members communicate with its members by addressing membership inquiries, educating members to select the right health plans and options. (*Id.*) These communications are conducted in English and Class Members have the ability to comprehend English. (*Id.*) Therefore, English language notice is sufficient to inform the Class Members of their rights and options under the Settlement.

4. The Class Notice has been Revised to Satisfy the Court's Requirements.

The proposed Revised Notice includes information regarding remote appearance and an instruction to check the Court's website. (*See* Han Dec. Exhibit 3, redline version of the Revised Class Notice at §12.)

5. Notice of the Settlement was Provided to the LWDA.

On July 16, 2020, Plaintiff submitted a copy of the Motion for Preliminary Approval and a Copy of the Settlement Stipulation to the LWDA. (*See* Han Dec. Exhibit 4, Proof of Service for Joint Stipulation and Settlement Agreement and the Motion for Preliminary Approval.)

III. CONCLUSION

The Parties have addressed each of the concerns in the Court's Observations and Requirements. There is no reason to doubt the reasonableness of this settlement. The Court should provide preliminary approval conditioned upon execution of the Amended Settlement.

DATED: November 3, 2020

JUSTICE LAW CORPORATION

By: 

Douglas Han

Attorneys for Plaintiff

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I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 751 N. Fair Oaks Ave., Ste. 101 Pasadena, California 91103. My electronic service address is arivera@justicelawcorp.com

On December 2, 20, I served the foregoing document described as

for the following case: **Hoshaw v. Sutherland Healthcare Solutions, Inc.**
 LWDA/Court Case No.: **LWDA-CM-787036-20**
19STCV33165
Los Angeles County Superior Court

on interested parties in this action by electronically submitting as follows:

**State of California
Labor & Workforce Development Agency
800 Capitol Mall, MIC-55
Sacramento, California 95814**

[X] BY ELECTRONIC SUBMISSION

Pursuant to California Senate Bill No. 836, I caused the documents described above to be electronically submitted by and through the procedure stated on the website of the State of California Labor and Workforce Development Agency.

[X] STATE

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

Executed on December 2, 2020, at Pasadena, California.

A hand-drawn diagram of a simple machine, possibly a pulley or a lever. It consists of a horizontal line with a loop or pulley at one end, and a vertical line with a weight hanging from it.

Allana Rivera