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9 Attorneys for Plaintiff

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11
12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF MONTEREY**

14 RATI GANDHALE, an individual, on behalf
15 of herself and on behalf of all persons similarly
16 situated,

17 Plaintiff,

18
19 v.

20 SELECT REHABILITATION LLC, a Limited
21 Liability Company and DOES 1 through 50,
22 Inclusive,

23 Defendants.

Case No.: **20CV002240**
(*Consolidated with Case No. 21CV000740*)

**DECLARATION OF STEPHEN GOMEZ
REGARDING NOTICE AND
SETTLEMENT ADMINISTRATION**

Judge: Hon. Carrie Panetta
Dept.: 14
Hearing Date: October 28, 2022
Hearing Time: 8:30 a.m.

24 I, **STEPHEN GOMEZ** declare the following facts to be true and correct and if called as a
25 witness would testify competently to the same:

26
27 1. I am employed as a Case Manager by Simpluris, Inc. ("Simpluris") the claims
28 administrator in the above-entitled action. My business address is 3194-C Airport Loop

1 Drive, Costa Mesa, CA 92626. My telephone number is (714) 640-5644. I am over twenty-
2 one years of age and authorized to make this declaration on behalf of Simpluris and myself.

3 2. Simpluris, Inc. is a Class Action Settlement Administration company located
4 in Costa Mesa, CA. It is founded by individuals who have each managed hundreds of
5 settlements, along with professionals in the areas of Software Development, Third-Party
6 Claims Administration, Mail-House Operations, and Call Center Support Management.
7

8 3. Simpluris was appointed by the Court as Settlement Administrator to
9 administer the settlement in accordance with the terms of the Class Action Settlement
10 Agreement entered into by the parties on or about June 10, 2022, (the "Settlement
11 Agreement"). Simpluris has been, and if the Court grants final approval of the
12 Settlement, will be responsible for, among other things: (a) printing and mailing in
13 English the Notice of Proposed Settlement of Class Action and Hearing Date for Final
14 Court Approval ("Notice") (b) receiving undeliverable Notice Packets; (c) receiving
15 and validating requests for exclusion; (d) calculating individual settlement payments,
16 distributing funds, and tax-reporting following final approval; (e) mailing settlement
17 checks; (f) answering questions from Class Members; and (g) performing such other
18 tasks necessary to effectuate the terms of the Settlement or as the Parties mutually agree
19 or the Court orders Simpluris to perform.
20
21

22 4. A toll-free telephone number was included in the Class Notice for the purpose
23 of allowing the Class Members to call Simpluris and to make inquiries regarding the
24 Settlement. The system is accessible 24 hours a day, 7 days a week, and will remain in
25 operation throughout the settlement process. Callers have the option to speak with a live
26 call center representative in English and Spanish during normal business hours or to leave
27
28

1 a message and receive a return call during non-business hours. The toll-free telephone
2 number included in the Class Notice was 1-888-226-9018.

3 5. On June 23, 2022, Simpluris received the Court-approved Notice. The
4 Notice advised Class Members of their right to opt out from the Settlement, object to the
5 Settlement, or do nothing, and the implications of each such action. The Notice advised
6 Class Members of applicable deadlines and other events, including the Final Approval
7 Hearing, and how Class Members could obtain additional information. The Notice was
8 pre-printed with the name and address of the Class Member and their estimated payment.
9 A sample Notice Packet is attached hereto as **Exhibit A**.

10
11 6. On July 8, 2022 Counsel for Defendant provided Simpluris with a mailing
12 list ("Class List") containing the name, last known address, Social Security number, and
13 pertinent employment information during the Class Period for the Class Members. The
14 Class List contained data for one thousand seven hundred one (1,701) Class Members.

15
16 7. The mailing addresses contained in the Class List were processed and updated
17 utilizing the National Change of Address Database ("NCOA") maintained by the U.S.
18 Postal Service. The NCOA contains changes of address filed with the U.S. Postal Service.
19 In the event that any individual had filed a U.S. Postal Service change of address request,
20 the address listed with the NCOA was utilized in connection with the mailing of the
21 Notices.
22

23
24 8. On July 22, 2022, after updating the mailing addresses through the NCOA,
25 Notices were mailed via First Class Mail to one thousand seven hundred one (1,701)
26 Class Members contained in the Class List.
27
28

1 9. As of this date, forty two (42) Class Notices were returned by the post
2 office. For those without forwarding addresses, Simpluris attempted to find a forwarding
3 address using Accurant, a reputable research tool owned by Lexis-Nexis. Simpluris used
4 the Class Member's name and previous address to locate a current address. Altogether,
5 Simpluris re-mailed thirty-seven (37) Class Notices to either; a new forwarding address
6 provided by the Post Office, a newfound address using Accurant, or a forwarding address
7 provided by the Class. Ultimately, five (5) Class Notices were undeliverable.

9 10. As of today, there are one thousand seven hundred (1,700) Participating
10 Class Members who will be paid their portion of the Net Settlement Amount, estimated
11 to be \$1,145,333.33. The Net Settlement Amount available to pay Participating Class
12 Members was determined as follows:

14	Gross Settlement Amount:	\$ 1,850,000.00
15		
16	Less Attorneys' Fees (Requested)	-\$ 616,666.67
17	Less Litigation Costs (Requested)	-\$ 25,000.00
18	Less Plaintiffs' Service Awards (Requested)	-\$ 8,000.00
19		
20	PAGA – LWDA Payment	-\$ 30,000.00
21	PAGA – Aggrieved Employees	-\$ 10,000.00
22	<u>Less Settlement Administration:</u>	<u>-\$ 15,000.00</u>
23	NET SETTLEMENT AMOUNT	\$ 1,145,333.33

24

25 Based upon the above deductions, the total *average* recovery for Class Member
26 under the settlement is approximately \$673.33 and the total *highest* recovery is
27 approximately \$2,342.65. The value of the Weekly Rate is \$13.94.
28

11. As of this date, Simpluris has received one (1) request for exclusion from the Settlement. The Class Member who requested exclusion is Lisa Rubi. The deadline in the Class Notice for the submission of requests for exclusion was September 6, 2022.

12. As of this date, Simpluris has not received any disputes. The deadline in the Class Notice for the submission of disputes was September 6, 2022.

13. Class Members who wished to object were directed to submit their written objection to Simpluris. The deadline in the Class Notice for the submission of written objections was September 6, 2022. As of this date, Simpluris has not received any objections.

14. The most current weekly report is attached hereto as **Exhibit B**.

15. Simpluris' total costs for services in connection with the administration of this Settlement, including fees incurred and anticipated future costs for completion of the administration, are \$15,000. Simpluris' work in connection with this matter will continue with the calculation of the settlement checks, issuance and mailing of those settlement checks, etc., and preparation of the necessary tax reporting on such payments.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 28th day of September, 2022, in Costa Mesa, California.


Stephen Gomez

EXHIBIT A

**NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION
AND HEARING DATE FOR FINAL COURT APPROVAL**

(Gandhale v. Select Rehabilitation, LLC, Superior Court of the State of California,
County of Monterey, Case No. 20CV002240)

YOUR LEGAL RIGHTS MAY BE AFFECTED WHETHER YOU ACT OR DO NOT ACT.

PLEASE READ THIS NOTICE CAREFULLY.

«IMailBarcodeEncoded»

«FirstName» «LastName» «BusinessName»

«Address1» «Address2»

SIMD «SIMD»
«Barcode_155481»

«City», «State» «Zip»-«ZipDPC3»

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

Do Nothing and Receive a Payment	To receive a cash payment from the Settlement, you do not have to do anything. Your estimated Settlement Share is: \$«MERGED_ClassEstSettAmnt_CALC». See the explanation in Section 5 below. If you do nothing, you will be considered a Participating Class Member and will be part of the Settlement as explained more fully below. After final approval by the Court, the payment will be mailed to you at the same address as this notice. In exchange for the Settlement Share payment, you will release the Released Class Claims as detailed in Section 4 below. If your address has changed, you must notify the Settlement Administrator as explained in Section 6 below.
Exclude Yourself	To exclude yourself, you must send a written request for exclusion to the Settlement Administrator as provided below. If you request exclusion, you will receive no money from the Settlement and you will not be bound by the Settlement. However, if you are an Aggrieved Employee who opts out, you will still be paid your allocation of the PAGA Payment and will remain bound by the release of the Released PAGA Claims regardless of whether you submit a request for exclusion. If you choose to do so, you must notify the Settlement Administrator as explained in Section 7 below.
Object	Write to the Court about why you do not agree with the settlement or appear at the Final Approval Hearing to make an oral objection. Instructions are provided in Section 8 below.

Your options are further explained in this Class Notice. To exclude yourself from, or object to, the settlement you must take action by certain deadlines. If you want the Settlement as proposed, you don't need to do anything to obtain your share of the Settlement. Defendant will not retaliate against you for any actions you take with respect to the Settlement.

1. Why did I get this Notice?

A proposed class action settlement (the "Settlement") of the above-captioned action pending in the Superior Court of the State of California, in and for the County of Monterey (the "Court") has been reached between Plaintiff Rati Gandhale ("Plaintiff") and Defendant Select Rehabilitation, LLC ("Defendant") and has been granted preliminary approval by the Court. You may be entitled to receive money from this Settlement.

You have received this Class Notice because you have been identified as a member of the Class, which is defined as:

All individuals who are or previously were employed by Defendant in California in one or more of the Covered Positions during Class Period.

"Covered Positions" are the following job positions: Cluster Program Manager (OT); Certified Occupational Therapy Assistant; Occupational Therapist; Program Assistant; Program Director—OT; Program Director—PT; Program Manager; Program Manager Backup—COTA; Program Manager Backup—OT; Program Manager Backup—PT; Program Manager Backup—PTA; Program Manager Backup—Rehab Tech; Program Manager Backup—RT; Program Manager Backup—SLP; Program Manager—COTA; Program Manager—OT; Program

Manager—PT; Program Manager—PTA; Program Manager—SLP; Physical Therapist; Physical Therapist Assistant; Rehab Technician; Speech Language Pathology; Wellness Coordinator.

The Class Period is August 25, 2016 through December 28, 2021.

This Class Notice explains the lawsuit, the Settlement, and your legal rights. It is important that you read this Class Notice carefully as your rights may be affected by the Settlement.

2. What is this class action lawsuit about?

On August 25, 2020, Plaintiff filed a class action complaint against Defendant in the Superior Court of the State of California, County of Monterey (“*Gandhale* Class Action”), alleging the following class claims against the Defendant: unfair competition, failure to pay overtime wages, failure to provide required meal periods, failure to provide required rest periods, failure to provide accurate itemized wage statements, failure to reimburse employees for required expenses, and failure to timely pay wages at termination. On March 9, 2021, Plaintiff filed a Representative Action Complaint against Defendant in the Superior Court of the State of California, County of Monterey alleging a single cause of action for recovery of civil penalties under the Private Attorney General’s Action, *Labor Code* §§ 2699, et seq. based upon the above alleged violations (“*Gandhale* PAGA Action”). As part of this Settlement, the Parties agree to enter into a Stipulation to Consolidate the *Gandhale* PAGA Action with the first-filed *Gandhale* Class Action as the lead case number (collectively the “Action”).

Defendant denies and disputes all such claims. Specifically, Defendant contends that Plaintiff and the Class Members were properly compensated for wages under California law; that Plaintiff and the Class Members were provided with meal and rest periods in compliance with California law; that Defendant complied with California wage statement requirements; that Defendant did not fail to reimburse for required business expenses, that Defendant is not liable for any of the penalties claimed or that could be claimed in the Action; and that this Action cannot be maintained as a class action.

The Court granted preliminary approval of the Settlement on June 10, 2022. At that time, the Court also preliminarily approved the Plaintiff to serve as the Class Representative, and the law firm Blumenthal Nordrehaug Bhowmik De Blouw LLP to serve as Class Counsel.

3. What are the terms of the Settlement?

Gross Settlement Amount. Defendant has agreed to pay an “all in” amount of One Million Eight Hundred Fifty Thousand Dollars (\$1,850,000) (the “Gross Settlement Amount”) to fund the settlement of this Action. The Gross Settlement Amount includes all payments of Settlement Shares to Class Members, the Settlement Administration Expenses, Class Counsel Fees Payment, Class Counsel Litigation Expenses Payment, Class Representative Service Payment, and the PAGA Payment for civil penalties. Any employer-side payroll taxes on the portion of the Settlement Shares allocated to wages shall be separately paid by Defendant.

Within fifteen (15) days of the Effective Date, Defendant will fund the Gross Settlement Amount by depositing the money with the Settlement Administrator. The “Effective Date” the date the Judgment is entered, or if there are objections or any appeal, the date the Judgment is no longer subject to appeal. Fifteen (15) days after the settlement is funded, the Settlement Administrator will mail checks for the Settlement Shares to Participating Class Members.

Amounts to be Paid From the Gross Settlement Amount. The proposed payments subject to Court approval will be deducted from the Gross Settlement Amount before Settlement Shares are made to Class Members who do not request exclusion (“Participating Class Members”):

- **Settlement Administration Expenses.** Payment to the Settlement Administrator, estimated not to exceed \$15,000, for expenses, including without limitation expenses of notifying the Class Members of the Settlement, processing opt outs, and distributing Settlement Shares and tax forms, and handling inquiries and uncashed checks.
- **Class Counsel Fees Payment and Class Counsel Litigation Expenses Payment.** Payment to Class Counsel of reasonable attorneys’ fees not to exceed one-third (1/3) of the Gross Settlement Amount, which is presently \$616,666 and an additional amount to reimburse actual litigation costs incurred by the Plaintiff not to exceed \$25,000. Class Counsel has been prosecuting the Action on behalf of Plaintiff and the Class on a contingency fee basis (that is, without being paid any money) and has been paying all litigation costs and expenses. The amounts stated are what Class Counsel will be requesting and the final amounts to be paid will be decided at the Final Approval Hearing.
- **Class Representative Service Payment.** Class Representative Service Payment in an amount not to exceed Eight Thousand Dollars (\$8,000.00) to the Plaintiff, or such lesser amount as may be approved by the Court, to compensate her for services on behalf of the Class in initiating and prosecuting the Action, and for the risks she undertook. The amount stated is what Plaintiff will be requesting and the final amount to be paid will be decided at the Final Approval Hearing.
- **PAGA Payment.** A payment of \$40,000 relating to the claim for penalties under the Private Attorney Generals Act (“PAGA”), \$30,000 of which will be paid to the State of California’s Labor and Workforce Development Agency (“LWDA Payment”). The remaining \$10,000 will be distributed to the Aggrieved Employees based on a pro-rata basis in proportion to the number of pay periods each Aggrieved Employee worked during the PAGA Period (June 18, 2019 to December 28,

2021). "Aggrieved Employees" mean all individuals who are or previously were employed by Defendant in California in one or more of the following job positions: Cluster Program Manager (OT); Certified Occupational Therapy Assistant; Occupational Therapist; Program Assistant; Program Director—OT; Program Director—PT; Program Manager; Program Manager Backup—COTA; Program Manager Backup—OT; Program Manager Backup—PT; Program Manager Backup—PTA; Program Manager Backup—Rehab Tech; Program Manager Backup—RT; Program Manager Backup—SLP; Program Manager—COTA; Program Manager—OT; Program Manager—PT; Program Manager—PTA; Program Manager—SLP; Physical Therapist; Physical Therapist Assistant; Rehab Technician; Speech Language Pathology; Wellness Coordinator (the "Covered Positions") during the PAGA Period. All Aggrieved Employees will be sent their share of the PAGA Payment and will be subject to the release of the Released PAGA Claims as set forth below, whether or not they opt out of the Settlement.

Calculation of Payments to Class Members. After all of the payments of the Court-approved Class Counsel Fees Payment, Class Counsel Litigation Expenses Payment, the Class Representative Service Payment, the PAGA Payment, and the Settlement Administration Expenses are deducted from the Gross Settlement Amount, the remaining portion, called the "Net Settlement Amount", shall be distributed as Settlement Shares to the Participating Class Members. The Net Settlement Amount is estimated to be at least \$1,143,334, based upon the above proposed deductions. Settlement Administrator will pay a Settlement Share from the Net Settlement Amount to each Participating Class Member, which shall be calculated as follows: (a) the Settlement Administrator shall divide the Net Settlement Amount by the total number of weeks included in the dates of employment to determine a dollar amount per week ("Weekly Rate"); and (b) the Settlement Administrator shall then take the number of weeks worked by each Participating Class Member and multiply it by the Weekly Rate to calculate their Settlement Share.

If the Settlement is approved by the Court and you do not exclude yourself, you will automatically be mailed a check for your Settlement Share to the same address as this Class Notice. You do not have to do anything to receive a payment. If your address has changed, you must contact the Settlement Administrator to inform them of your correct address to ensure you receive your payment.

Tax Matters. Seventy-five (75%) of each Participating Class Member's Settlement Share is in settlement of wage claims (the "Wage Portion"). Accordingly, the Wage Portion is subject to wage withholdings, and shall be reported on IRS Form W-2. Twenty-five (25%) of each Participating Class Member's Settlement Share is in settlement of claims for interest and penalties allegedly due to employees (collectively the "Non-Wage Portion"). The Non-Wage Portion shall not be subject to wage withholdings, and shall be reported on IRS Form 1099. The employee portion of all applicable income and payroll taxes will be the responsibility of the Participating Class Members. Neither Class Counsel nor Defendant's Counsel intend anything contained in this Class Notice to constitute advice regarding taxes or taxability. The tax issues for each Participating Class Member are unique to him/her, and each Participating Class Member may wish to consult a tax advisor concerning the tax consequences of the payments received under the Settlement.

Conditions of Settlement. This Settlement is conditioned upon the Court granting final approval of the Settlement and entering the Judgment.

4. What Do I Release Under the Settlement?

Released Class Claims. Upon the Effective Date, Released Parties shall receive a release from the Participating Class Members of all class claims pled or which could have been pled based on the factual allegations contained in the operative complaint which occurred during the Class Period including claims for: (a) failure to pay all minimum wages owed; (b) failure to pay overtime wages owed; (c) failure to provide meal periods, or premium pay for non-compliant meal periods; (d) failure to authorize and permit rest periods, or premium pay for non-compliant rest periods; (e) failure to issue accurate, itemized wage statements; (f) failure to timely pay all wages due upon separation of employment; (g) failure to reimburse business expenses; (h) all claims for unfair business practices that could have been premised on the facts, claims, causes of action or legal theories described above ("Released Class Claims"). Claims for vested benefits, wrongful termination, unemployment insurance, disability, social security, workers' compensation, and class claims outside of the Class Period are expressly excluded from being released.

This means that, if you do not timely exclude yourself from the settlement, you cannot sue, continue to sue, or be part of any other lawsuit against Defendant and any other Released Party about Released Class Claims resolved by this Settlement. It also means that all of the Court's orders in this Action will apply to you and legally bind you.

Released PAGA Claims. Upon the Effective Date, Released Parties shall receive a release from the State of California from all PAGA claims for civil penalties under California Labor Code Sections 2698, et seq., predicated on the California Labor Code violations that are asserted in the LWDA Notice for violations of Labor Code sections §§ 201, 202, 203, 204, 210, 226(a), 226.7, 351, 510, 512, 558(a)(1)-(2), 1194, 1197, 1197.1, 1198, 2802, California Code of Regulations, Title 8, Section 11040, Subdivision 5(A)-(B), California Code of Regulations, Title 8, Section 1 1070(14), Violation of Applicable Industrial Welfare Commission Wage Order(s) ("Released PAGA Claims"). The Released PAGA Claims exclude claims for vested benefits, wrongful termination, unemployment insurance, disability, social security, workers' compensation, PAGA claims outside of the PAGA Period, and other PAGA claims not asserted in the PAGA Notice. The release of the Released PAGA Claims shall be effective as to all Aggrieved Employees, regardless of whether an Aggrieved Employee submitted a request for an exclusion from the Class.

5. How much will my payment be?

The Weekly Rate is estimated to be \$13.94. Defendant's records reflect that you have worked «MERGED_ClassWW» weeks for Defendant in a Covered Position during the Class Period (August 25, 2016 through December 28, 2021).

Based on this information, your estimated Settlement Share from the Net Settlement Amount is \$«MERGED_ClassEstSettAmnt_CALC».

If you wish to challenge the information set forth above, then you must submit a written and signed dispute challenging the information along with supporting documents, to the Settlement Administrator at the address provided in this Class Notice no later than September 6, 2022.

6. How can I get a payment?

To get money from the settlement, you do not have to do anything. A check for your Settlement Share will be mailed automatically to the same address as this Class Notice. If your address is incorrect or has changed, you must notify the Settlement Administrator. The Settlement Administrator can be contacted at:

Gandhale v Select Rehabilitation Settlement Administrator
P.O. Box 26170
Santa Ana, CA 92799
Telephone: (888) 226-9018

The Court will hold a Final Approval Hearing on October 28, 2022, at 8:30 a.m. to decide whether to approve the Settlement and fix the amounts to be paid as attorneys' fees and costs to Class Counsel and as a service award to the Plaintiff. If the Court approves the Settlement and there are no objections or appeals, payments will be mailed approximately two months after this hearing. If there are objections or appeals, resolving them can take time, usually more than a year. Please be patient.

7. What if I don't want to be a part of the Settlement?

If you do not wish to participate in the Settlement, you may exclude yourself from the Settlement or "opt out." **If you opt out, you will not receive a Settlement Share from the Settlement, and you will not be bound by the Settlement which means you will retain the right to sue Defendant for the Released Class Claims.** However, Aggrieved Employees who opt out will still be paid their allocation of the PAGA Payment and will remain subject to the release of the Released PAGA Claims regardless whether they submit a request for exclusion.

To opt out, you must mail to the Settlement Administrator, by First Class Mail, a written, signed and dated request to opt-out postmarked no later than September 6, 2022. The request to opt-out must be postmarked or received by the Settlement Administrator by this deadline and should: (1) contain a clear statement that you are requesting to opt out of, or be excluded from the Class and Released Class Claims in the *Gandhale v. Select Rehabilitation, LLC* lawsuit; (2) contain the name, address, and the last four digits of the Social Security Number of the person requesting exclusion; (3) state the Class Member's request to exclude himself or herself from the Settlement and to opt out of the Settlement; and (4) be signed by the Class Member or his or her lawful representative. You must include the name and number of the case, which is *Gandhale v. Select Rehabilitation, LLC*, Case No. 20CV002240. The request to opt-out must be signed by you.

The address for the Settlement Administrator is:

Gandhale v Select Rehabilitation Settlement Administrator
P.O. Box 26170
Santa Ana, CA 92799

Written requests for exclusion that are postmarked after September 6, 2022, or are incomplete or unsigned may be rejected; and if so, those Class Members will remain bound by the Settlement and the Released Class Claims described above.

8. How do I tell the Court that I don't agree with the Settlement?

Any Class Member who has not opted out and believes that the Settlement should not be finally approved by the Court for any reason may object to the proposed Settlement, the attorneys' fees, the costs and/or the service award, either in writing or in person. Objections that are in writing should state the Class Member's name, current address, telephone number, and the dates of employment in California by Defendant, and describe why you believe the Settlement is unfair. All written objections or other correspondence should also state the name and number of the case, which is *Gandhale v. Select Rehabilitation, LLC*, in the Superior Court of the State of California, County of Monterey, Case No. 20CV002240.

All written objections must be mailed to the Settlement Administrator at P.O. Box 26170, Santa Ana, CA 92799, no later than September 6, 2022.

Alternatively, Class Members may appear remotely at the Final Approval Hearing on October 28, 2022 at 9:00 a.m. to make an oral objection without submitting a written objection or to otherwise participate in the Final Approval Hearing. Check the Court's website

for the most current information concerning appearances and procedures at the Court - <https://www.monterey.courts.ca.gov/>. For assistance in making an appearance at the Final Approval Hearing, please contact Class Counsel below.

To object to the Settlement, you must not opt out, and if the Court approves the Settlement despite your objection, you will be bound by the terms of the Settlement in the same way as Class Members who do not object and you will still be mailed a check for your Settlement Share.

The addresses for Parties' counsel are as follows:

Class Counsel:

Norman Blumenthal
Kyle Nordrehaug
Blumenthal Nordrehaug Bhowmik De Blouw LLP
2255 Calle Clara
La Jolla, CA 92037
Tel: 858-551-1223 / Fax: 858-551-1232
Email: kyle@bamlawca.com
Website: www.bamlawca.com

Counsel for Defendant:

Krista M. Cabrera
Kevin Jackson
Foley & Lardner LLP
11988 El Camino Real, Suite 400
San Diego, CA 92130-2594

9. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing at 9:00 a.m. on October 28, 2022, at the Monterey County Superior Court, located at 1200 Agualito Road, Monterey, CA 93940, in Department 14 before Judge Carrie M. Panetta. At this hearing the Court will consider whether the Settlement is fair, reasonable, and adequate. The purpose of this hearing is for the Court to determine whether to grant final approval to the Settlement and to fix the amounts to be paid as attorneys' fees and costs to Class Counsel and as service payments to Plaintiff. If there are objections, the Court will consider them. This hearing may be rescheduled by the Court without further notice to you. If you are interested in participating in the Final Approval Hearing, you should confirm the date, time and location by contacting Class Counsel. **You are not required to attend** the Final Approval Hearing, although any Class Member is welcome to attend the hearing. If the hearing is continued, notice will be posted on Class Counsel's website at www.bamlawca.com under "Class Notices" for *Gandhale v. Select Rehabilitation*. In addition, hearing dates are posted on the Internet via the Case Search page for the California Superior Court for the County of Monterey (<https://portal.monterey.courts.ca.gov/>) and entering the Case No. 20CV002240.

10. How do I get more information about the Settlement?

You may call the Settlement Administrator at (888) 226-9018 or write to *Gandhale v. Select Rehabilitation* Settlement Administrator, P.O. Box 26170, Santa Ana, CA 92799 or contact Class Counsel at 1-858-551-1223.

This Class Notice summarizes the proposed settlement. More details are in the Settlement Agreement. You may receive a copy of the Settlement Agreement, the Judgment, the motion for attorneys' fees, costs and service award, the motion for final approval, or other Settlement documents by going to Class Counsel's website at www.bamlawca.com under "Class Notices" for *Gandhale v. Select Rehabilitation*. You may also get more details by examining the Court's file on the Internet via the Register of Actions for the San Diego County Superior Court (<https://www.sdcourt.ca.gov/sdcourt/generalinformation/accesscourtrecords>) and entering the Case No. 20CV002240. If you wish to view the Court files in person, you must make an appointment with the Clerk's Office at the Monterey Courthouse, 1200 Aquajito Road, Monterey, CA 93940.

PLEASE DO NOT CALL THE COURT ABOUT THIS NOTICE.

IMPORTANT:

- You must inform the Settlement Administrator of any change of address to ensure receipt of your settlement payment.
- Settlement checks will be null and void 180 days after issuance if not deposited or cashed, and this expiration date will be printed on the check. In such event, the Settlement Administrator shall pay all unclaimed funds cy pres to a charity to be ordered by the Court pursuant to California Code of Civil Procedure section 384.
- If your check is lost or misplaced, you should contact the Settlement Administrator immediately to request a replacement.

EXHIBIT B



9/14/2022

Case Manager Name: Christina Fowler
Case Manager Email: cfowler@simpluris.com
Case Manager Direct Line : (714) 640-5644

Gandhale v Select Rehabilitation LLC
Superior Court for the State of California County of Monterey
Case No. 21CV002240

Plaintiff Counsel

Norman Blumenthal / Blumenthal Nordrehaug & Bhowmik
Kyle R. Nordrehaug / Blumenthal Nordrehaug & Bhowmik

Defense Counsel

Kevin Jackson / Foley & Lardner LLP
Krista M. Cabrera / Foley & Lardner LLP

Case Milestones

Preliminary Approval Order	June 10, 2022
Data Due	July 08, 2022
Notification Mailing	July 22, 2022
Opt Out Deadline	September 06, 2022
Objection Deadline	September 06, 2022
Dispute Deadline	September 06, 2022
Final Approval Hearing	October 28, 2022

Response Summary

Total Class Members: 1,701

"Total Responses Submitted" is based on responses processed as of date reflected on the report.

	Total	Rate
Opt Out Form	1	0.06%
Valid	1	0.06%
Pending	0	0.00%

Mailing Details

Mailing Title	Mailed	Returned	Remailed	Undeliverable
Notice Packet	1,701	42	37	5