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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ANGELES

CARRIE PRODROMIDES, an individual,

Plaintiff,

vs.

SHORELINE TREATMENT CENTER, INC., a
California Corporation; RACHEL LEVI, an
individual, and DOES 1 through 50, inclusive,

Defendants.

CLASS ACTION

Case No: 20STCV47287

Hon. Stuart Rice

Dept. 1

**~~PROPOSED~~ ORDER GRANTING
CONDITIONAL CLASS CERTIFICATION
AND PRELIMINARY APPROVAL OF
CLASS ACTION AND PRIVATE
ATTORNEY GENERAL SETTLEMENT**

Complaint Filed: December 10, 2020
Initial Trial Date: None

FILED
Superior Court of California
County of Los Angeles

11/14/2023

David W. Slayton, Executive Officer / Clerk of Court

By: A. He Deputy

~~PROPOSED~~ ORDER

On September 27, 2023, at 10:30 a.m., this case came for hearing before the Honorable Stuart M. Rice in Department 1 of the Superior Court, County of Los Angeles, located at 312 North Spring Street, Los Angeles, California 90012, for Plaintiff Carrie Prodromides' unopposed Motion for Conditional Class Certification and Preliminary Approval of Class Action and Private Attorney General Act Settlement and Release Agreement ("Motion"). The day prior to the hearing, September 26, 2023, the Court issued its checklist for preliminary approval for class action settlements directing Plaintiff to address certain deficiencies articulated in the checklist. During the hearing of September 27, 2023, Plaintiff was ordered to file supplemental documents correcting these deficiencies.

With leave of Court, on October 23, 2023, Plaintiff filed a second amended complaint, which became the "Operative Complaint" for final approval. On October 26, 2023, Plaintiff filed a supplemental brief, along with supplemental declarations and documents correcting the deficiencies discussed during the hearing of September 27, 2023. On October 30, 2023, the Court instructed Plaintiff to submit a revised Amended Proposed Preliminary Approval Order articulating the monetary aspects of the settlement and the intended disbursements from the overall gross recovery, which Plaintiff submitted on November 10, 2023.

The Court, having fully reviewed the unopposed Motion, the supporting memorandum of Points and Authorities, Declarations of Rolando J. Gutierrez, Nicholas L. Ramirez, and Richard Kim, filed in support thereof, the Supplemental Declaration of Rolando J. Gutierrez and the Amended Class Action and PAGA Settlement and Release Agreement ("Settlement Agreement") attached thereto, the proposed Notice of Class Action Settlement ("Class Notice"), having carefully analyzed the Settlement Agreement and the Notice, **HEREBY MAKES THE FOLLOWING ORDERS:**

1. The Court grants preliminary approval of the Settlement and the Settlement Class based upon the terms set forth in the Settlement Agreement, attached to the Second Supplemental Declaration of Rolando J. Gutierrez, Esq. as Exhibit 5, and incorporated herein by this reference, and made a part of this Order. For settlement purposes only, the Court grants conditional certification of the following "Settlement Class" defined as:

All current and former non-exempt employees who work or worked for Defendants Shoreline Treatment Center, Inc., Shoreline Treatment Center, LLC, or Odyssey Behavioral Healthcare, LLC at any Shoreline Treatment Center facility in California during at any time during the time-period of December 10, 2016 through March 10, 2023, and includes the “Non-Release Benefit Subclass” and the “Release Benefit Subclass.”

The “Non-Release Benefit Subclass” includes:

All non-exempt employees who worked for any of the Defendants during the Class Period but did not sign a Release Benefit Agreement or a Revised Release Benefit Agreement releasing Defendants from the claims raised in the Action and did not receive compensation for releasing Defendants from the claims raised in the Action.

The “Release Benefit Subclass” includes:

All non-exempt employees who worked for any of the Defendants during the Class Period and who signed a Release Benefit Agreement or a Revised Release Benefit Agreement releasing Defendants from the claims raised in the Action or received payments for releasing Defendants from the claims raised in the Action.

The Class Period is from December 10, 2016 to March 10, 2023.

2. The gross value of Settlement is \$673,661.00, which consists of (1) a payment by the Defendants of \$500,000 to fund the Settlement (the “Settlement Fund”), and (2) an aggregate amount of \$173,661 that Defendants already paid to the Release Benefits Subclass (the “Total Release Benefit Amount”). The “Net Settlement Amount” is the Settlement fund of \$500,000 less the following deductions, subject to Court Approval:

PAGA Allocation.....	\$25,000 ¹
Settlement Fund Fee Payment	\$166,665 ²
Class Counsel Expenses	\$45,000
Class Representative Service Award	\$7,500
Administrator Expenses Payment	\$13,000
Total Net Settlement Amount to Participating Class Members	\$242,835

¹ Of which 75% (\$18,750) shall be paid to Labor & Workforce Development Agency, and 25% (\$6,250) shall be paid to the Aggrieved Employees.

² The “Settlement Fund Fee Payment” represents 33.333% of the Settlement Fund. At Final Approval, Class Counsel will also request approval of a “Direct Fee Payment” of \$60,781.35, which represents 35% of the Total Release Benefit Amount, to be paid directly by the Defendants. The Direct Fee Payment is in recognition that the Release Benefits paid to the Release Benefit Subclass were inspired by this action, and to prevent the Non-Release Benefit Subclass from having to bear the entire cost of attorneys’ fees. The Settlement is not contingent on approval of the Direct Fee Payment, nor shall the Direct Fee Payment alter or affect the Net Settlement Amount to be distributed to the Participating Class Members or the Aggrieved Employees from the Settlement Fund. Counsel has been advised this fee will likely be reduced to one-third at the time of final approval. - SMR

1 3. The Court finds that the Settlement falls within the range of reasonableness and
2 appears to be valid, subject only to any objections that may be raised at the final fairness hearing and
3 final approval by this Court.

4 4. The Court confirms Rolando J. Gutierrez and Nicholas L. Ramirez of BROWN WHITE
5 & OSBORN, LLP and Richard Kim from the LAW OFFICE OF RICHARD KIM, PC. as Class Counsel for
6 purposes of settlement.

7 5. The Court hereby appoints Carrie Prodromides as the Class Representative

8 6. The Court confirms CPT Group, Inc. as the Claims Administrator.

9 7. The Court finds that the form of Class Notice to the Settlement Class regarding the
10 pendency of the action and of the Settlement, and the methods of giving notice to members of the
11 Settlement Class, constitute the best notice practicable under the circumstances, and constitute valid,
12 due, and sufficient notice to the Settlement Class. The form and method of giving notice complies
13 with the requirements of California Code of Civil Procedures § 382, California Civil Code § 1781,
14 California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other
15 applicable law.

16 8. The Court approves the procedures for Settlement Class members to opt out of or
17 object to the Settlement, as set forth in the Class Notice and the Settlement. The Class Notice shall
18 provide at least 60 calendar days' notice for members of the Settlement Class to submit disputes, opt
19 out of, or object to the Settlement.

20 9. The Court finds that the procedures and requirements for filing objections in
21 connection with the Final Fairness Hearing are intended to ensure the efficient administration of
22 justice and the orderly presentation of any Settlement Class Member's objection to the Settlement, in
23 accordance with the due process rights of all Settlement Class Members.

24 10. The Court directs the Claims Administrator to mail the Class Notice to the members of
25 the Settlement Class in accordance with the terms of the Settlement.

26 11. The Final Fairness Hearing on the question of whether the Settlement should be finally
27 approved as fair, reasonable, and adequate is scheduled in Department 1 of this Court, located at 312
28 North Spring Street, Los Angeles, CA 90012, on April 3, 2024, at 10:30 a.m.

1 12. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement
2 should be approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment
3 granting final approval of the Settlement should be entered; and (c) whether Plaintiffs’ application for
4 an enhancement payment, claims administration costs, Labor and Workforce Development Agency’s
5 (“LWDA”) share of PAGA penalties, and Class Counsel’s attorneys’ fees and costs should be
6 granted.

7 13. Class Counsel shall file memoranda, declarations, or other statements and materials in
8 support of their request for final approval, including Plaintiff’s application for enhancement
9 payments, claims administration costs, LWDA’s share of PAGA penalties, and Class Counsel’s
10 attorneys’ fees and costs no later than March 11, 2024.

11 14. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Defendants to deliver class data to Administrator.	Within 15 days after preliminary approval
Class Notice mailed to Class Members.	15 days after receipt of class data (i.e., 30 days from Preliminary Approval)
Deadline to opt-out, object, or challenge workweek/PAGA pay period count.	60 days after the Class Notice is mailed (the “Response Deadline”), plus an additional 14 days for re-mailed Class Notices (i.e., 90 days after Preliminary Approval)
Plaintiff files Motion for Final Approval, Motion for Attorneys’ Fees and Reimbursement of Costs, and Motion for Enhancements Award.	16 court days before the Final Approval hearing date, or March 11, 2024.
Final Approval Hearing	April 3, 2024, at 10:30 a.m.

15. Pending the Final Fairness Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this

Order, are stayed.

16. Counsel for the Parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the Settlement that are not materially inconsistent with either this Order or the terms of the Settlement.

IT IS SO ORDERED.

Dated: 11/14/2023



A handwritten signature in black ink, appearing to read "Stuart M. Rice".

Stuart M. Rice / Judge

HONORABLE STUART M. RICE

RE: *Prodromides v. Shoreline Treatment Center, Inc, et. al.*
Case No: 20STCV47287

On **November 10, 2023** I served true and correct copies the following document(s) described as:

on the interested parties in this action as follows:

Richard Kim, Esq.
rkim@richkimlaw.com
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Attorneys for Plaintiffs and the Putative Class

☒ **BY ELECTRONIC SERVICE VIA CASEANYWHERE:** Complying with California Rule of Court 2.251 and Code of Civil Procedure § 1010.6, *et. seq.*, and in compliance with the Court's Case Management Order, I caused true and correct copies of the documents to be served through Case Anywhere at www.caseanywhere.com to the email address(es) of the person(s) identified above.

Executed on **November 10, 2023** at Los Angeles, California.

Scott Tucker

Signature