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14 Attorneys for Plaintiffs Fatima Goodarzi and Marianita Yadao

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA

16 FOR THE COUNTY OF LOS ANGELES

17 FATIMA GOODARZI, individually, and on
18 behalf of other members of the general public
19 similarly situated, and as an aggrieved employee
pursuant to the Private Attorneys General Act
("PAGA"),

20 Plaintiff,

21 vs.

22 BELMONT VILLAGE, L.P., a Delaware
limited partnership; BELMONT VILLAGE
23 ALISO VIEJO CA LP, a Delaware limited
partnership; BELMONT VILLAGE
24 BERKELEY, LLC, a Delaware limited liability
company; BELMONT VILLAGE
25 THOUSAND OAKS CA LP, a Delaware
limited partnership; and DOES 1 through 10,
26 inclusive,

27 Defendants.
28

Case No.: 20STCV15572

Assigned to the Hon. Stuart M. Rice

**SUPPLEMENTAL MEMORANDUM OF
POINTS AND AUTHORITIES IN SUPPORT
OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: September 14, 2022

Time: 10:30 a.m.

Place: Department 1

Complaint Filed: April 22, 2020

1 Plaintiffs Fatima Goodarzi and Marianita Yadao (“Plaintiffs”) submit the following in response
2 to the Court’s July 18, 2022 Minute Order regarding Plaintiffs’ Motion for Preliminary Approval of
3 Class Action Settlement.

4
5 Item 1: If approval of settlement of a PAGA claim is requested provide a copy of Plaintiffs’
6 notice letters to the LWDA.

7 Response: Plaintiffs’ notice letters to the LWDA are attached to Plaintiffs’ Counsel’s
8 concurrently filed declarations. *See* Supplemental Declaration of Raul Perez (“Suppl. Perez Decl.”), Exs.
9 3-4; Supplemental Declaration of Kristen M. Agnew, Ex. A.

10
11 Item 2: The release of class claims (§24) should further specify that Class Members are releasing
12 the claims alleged in, or arising out of facts asserted in, the operative First Amended Complaint.

13 Response: Amended accordingly. *See* Suppl. Perez Decl., Ex. 1.
14

15 Item 3: The release of PAGA claims (§25) should be limited to claims for penalties that were
16 brought or could have been brought based on the facts alleged in Plaintiff’s LWDA letter. Also, counsel
17 is to provide a copy of the LWDA letter to the Court for review.

18 Response: Amended accordingly. *See* Suppl. Perez Decl., Ex. 1.
19

20 Item 4: If there are confidentiality provisions, explain why they are in the best interest of the
21 Class and whether they will impede Class Counsel’s ability to discharge fiduciary duties. (See §§ 4, 43.)

22 Response: Although Plaintiffs’ Counsel will not have access to the entire Class List (due to
23 Defendant’s concern about the wholesale disclosure of Social Security Numbers, mailing addresses, and
24 other sensitive information to Plaintiffs’ Counsel), Plaintiffs’ Counsel will be provided with Class List
25 data pertinent to specific Class Members so that they may respond to individual Class Member inquiries,
26 and will be provided with summaries of the Class List; e.g., total Class Members and workweeks, etc.
27
28

1 Item 5: Indicate why the bid for administration is fair.

2 Response: CPT's \$45,000 bid for administration is fair because it is within the range of bids
3 from other administrators, e.g., ILYM Group, Inc. (\$46,200 estimated cost for administration) and KCC
4 (\$54,113 estimated cost for administration after discount). *See* Suppl. Perez Decl. ¶ 6, Exs. 5-6.

5
6 Item 6: Ensure the notice accurately reflects the Court's current social distancing procedures for
7 attendance at hearings and review of court files. (Counsel should check the Court website for most
8 current information.)

9 Response: Amended accordingly. *See* Suppl. Perez Decl., Ex. 1.

10
11 Dated: August 22, 2022

Respectfully submitted,

12 By:  _____

13 Raul Perez
14 Orlando Villalba
15 Helga Hakimi
16 Roxanna Tabatabaeepour
17 **CAPSTONE LAW APC**

18 Larry W. Lee
19 Kristen M. Agnew
20 Nicholas Rosenthal
21 **DIVERSITY LAW GROUP, P.C.**

22 Attorney for Plaintiffs Fatima Goodarzi and
23 Marianita Yadao
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1 **PROOF OF SERVICE**

2 I am employed in the State of California, County of Los Angeles. I am over the age of 18
3 and not a party to the within suit; my business address is 1875 Century Park East, Suite 1000, Los Angeles, California 90067.

4 On **August 22, 2022**, I served the document(s) described as: **SUPPLEMENTAL**
5 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR**
6 **PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** on the interested parties in this action by sending [] the original [✓] a true copy thereof [✓] to interested parties as follows [or] [] as stated on the attached service list:

7 Jeffrey Ranen *Attorneys for Defendant*
8 Jeffrey.ranen@lewisbrisbois.com Belmont Village, L.P.
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19 [] **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s)
20 for mailing in the ordinary course of business at Los Angeles, California. I am “readily
21 familiar” with this firm’s practice of collection and processing correspondence for
22 mailing. Under that practice, sealed envelopes are deposited with the U.S. Postal Service
that same day in the ordinary course of business with postage thereon fully prepaid at
Los Angeles, California.

23 [] **BY E-MAIL:** I hereby certify that this document was served from Los Angeles,
24 California, by e-mail delivery on the parties listed herein at their most recent known e-
25 mail address or e-mail of record in this action.

26 [X] **BY ELECTRONIC SERVICE:** I caused the document(s) to be transmitted
27 electronically via One Legal eService to the individuals listed above, as they exist on that
28 database. This will constitute service of the document(s).

[] **BY FAX:** I hereby certify that this document was served from Los Angeles, California,
by facsimile delivery on the parties listed herein at their most recent fax number of record
in this action.

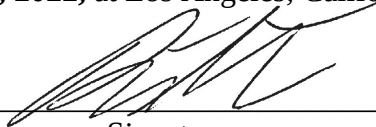
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[] **BY PERSONAL SERVICE:** I caused delivery of the document(s), enclosed in a sealed envelope, by hand via ProLegal Network to the offices of the addressee(s) named herein.

[] **BY OVERNIGHT DELIVERY:** I am “readily familiar” with this firm’s practice of collection and processing correspondence for overnight delivery. Under that practice, overnight packages are enclosed in a sealed envelope with a packing slip attached thereto fully prepaid. The packages are picked up by the carrier at our offices or delivered by our office to a designated collection site.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **August 22, 2022**, at Los Angeles, California.

Riley McIntire
Type or Print Name


Signature