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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **IN AND FOR THE COUNTY OF LOS ANGELES**

15 MARCOS ANTONIOS, on behalf of the
16 State of California, as a private attorney
17 general, and as an individual, on behalf
18 of himself and on behalf of all persons
19 similarly situated,

20 Plaintiff,

21 vs.

22 REHABCARE GROUP EAST, LLC., a
23 California Limited Liability Company;
24 and Does 1 through 50, Inclusive,

25 Defendants.

Case No. 21STCV15497

[Consolidated with Case No. 21STCV15647]

**NOTICE OF MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: July 12, 2023

Hearing Time: 9:00 a.m.

Judge: Hon. Elihu Berle

Dept: SS-6

Date Filed: April 23, 2021

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT on July 12, 2023 at 9:00 a.m., in
Department 6 of the above entitled Court before the Honorable Elihu Berle, Plaintiff Marcos
Antonios ("Plaintiff") will apply for an order: (1) preliminarily approving the proposed

1 settlement of this class action with Defendant Rehabcare Group East, LLC (“Defendant”);
2 (2) for settlement purposes only, conditionally certifying the Class, which is comprised of
3 “all all individuals who (1) are or previously worked for Defendant Rehabcare Group East
4 LLC in California who were hourly paid employees and who worked at any time during the
5 Class Period, including those who worked in one or more of the following positions:
6 Physical Therapists, Occupational Therapists, Speech Language Pathologists, Rehab
7 Technicians, Rehab Administrative Assistants, Program Assistants, Rehab Administrative
8 Assistant PRNs, Program Assistant PRNs, Occupational Therapist PRNs, Physical Therapist
9 PRNs, Certified Occupational Therapy Assistants, Physical Therapy Assistants, Program
10 Manager, Program Director 1 RTs, Physical Therapy Assistant PRNs, Certified
11 Occupational Therapy Assistant PRNs, Rehab Technician PRNs, Speech Language
12 Pathologist PRNs, Program Director 1 PTs, Program Direct 1 SLPs, Program Director PRN,
13 Wellness Center Coordinator PRNs, Wellness Center Coordinator NEs, Wellness Program
14 Coordinators, Program Director 1 OTs, Program Director 1 COTAs, RCL PTAs, Rehab
15 Agency Administrator NEs, Rehab Agency Coordinator NEs, Program Director 3 Rehab
16 Tech, and Program Director 1, and (2) excluding claims for the Class Period for those
17 individuals who worked for Defendant in California during that time and participated in the
18 *Stonehocker* settlement, California Northern District Case No. 4:19-cv-02494-YGR”; (3)
19 provisionally appointing Plaintiff as the representative of the Class; (4) provisionally
20 appointing Norman B. Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik, and Christine
21 T. LeVu of Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class Counsel for the
22 Class; (5) approving the form and method for providing class-wide notice; (6) directing that
23 notice of the proposed settlement be given to the Class; (7) appointing ILYM Group, Inc. as
24 the Administrator; and (8) scheduling a final approval hearing date in approximately four
25 months to consider Plaintiff’s motion for final approval of the settlement and entry of the
26 Judgment, and Plaintiff’s motion for approval of attorneys' fees and expenses.

27 This motion for preliminary approval of the class settlement is brought pursuant to
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1 California Rules of Court, rule 3.769. Plaintiff's motion will be based on this notice of
2 motion and motion, the accompanying memorandum of points and authorities, the
3 Declaration of Kyle Nordrehaug, the Class Action and PAGA Settlement Agreement
4 ("Agreement") between the parties, and the complete files and records in this action.
5 Because all parties have agreed to the proposed class settlement, this motion is not opposed
6 by Defendant.

7 Respectfully submitted,

8 Dated: June 5, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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10 By: /s/ Kyle Nordrehaug
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11 Kyle R. Nordrehaug, Esq.
Attorney for Plaintiff
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