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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES**
10

11 DEBRA ANDERSON, individually, and on behalf of
all similarly situated Class Members, and all
12 “aggrieved employees” pursuant to Labor Code §
2698 et seq.,
13

14 PLAINTIFF,

15 v.

16 THE TREATMENT SKIN BOUTIQUE, INC., a
California corporation; RYAN JENSEN, an
17 individual; ERIN MARIE JENSEN, an individual
and DOES 1 - 20, inclusive,
18

19 DEFENDANTS.
20

CASE No.: 21STCV01911

**SUPPLEMENTAL BRIEF IN SUPPORT
OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

[Filed concurrently with Supplemental
Declaration of Haroon Manjlai and
Declaration of Ryan Jensen in support of
motion for Preliminary Approval of Class
Action Settlement]

Date: July 21, 2022
Time: 9:00 a.m.
Dept.: 17

21 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**
22

23 On June 15, 2022, the Court, after reviewing the proposed settlement in this matter continued the
24 hearing on preliminary approval to July 21, 2022 at 9:00 a.m., for further briefing and/or an amended
25 Settlement Agreement addressing various questions enumerated in the Court's June 16, 2022 Preliminary
26 Approval Checklist, attached to the Supplemental Declaration of Haroon Manjlai (hereinafter “Manjlai
27 Decl.”) as **Exhibit A**. The headings in the Supplemental Brief correspond with the issues raised in the
28 Court's June 16, 2022, Preliminary Approval Checklist.

1 **I. Numerosity: Provide the total number of PAGA Employees.**

2 The total number of PAGA Employees in the PAGA Period are 77. *See* Manjlai Decl. ¶ 3.

3 **II. Release of Claims: Delete reference to Laura Campa. (¶VII.G.)**

4 The reference to Laura Campa was an oversight and has been removed. See page 32, line 4 of the
5 AMENDED JOINT STIPULATION AND CLASS SETTLEMENT AGREEMENT and the redlined
6 version of the AMENDED JOINT STIPULATION AND CLASS SETTLEMENT AGREEMENT,
7 attached as **Exhibit B** and **Exhibit C**, respectively, to Manjlai Decl.

8 **III. Cy Pres Distribution: Provide declarations from Defendants disclosing their interest or**
9 **involvement (if any) in the governance or work of the *cy pres* recipient. (¶IV.Q.)**

10 The Defendants do not have a financial interest in, or serve on the Board of Directors for, or have
11 any involvement in the governance or work of the State Bar’s Justice Gap Fund, the *cy pres* recipient in
12 this matter. *See* Declaration of Ryan Jensen in support of motion for Preliminary Approval of Class
13 Action Settlement, ¶ 3.)

14 **IV. Confidentiality: Delete the reference to “forging company” in ¶VII.M(b).**

15 The reference to “forging company” was an oversight and has been removed. See page 34, line
16 24 of the AMENDED JOINT STIPULATION AND CLASS SETTLEMENT AGREEMENT and the
17 redlined version of the AMENDED JOINT STIPULATION AND CLASS SETTLEMENT
18 AGREEMENT, attached as **Exhibit B** and **Exhibit C**, respectively, to Manjlai Decl.

19 **V. Notice and Notice Administration:**

20 **A. Confirm that the class list must be delivered to the Settlement Administrator within**
21 **10 business days after Preliminary Approval. (¶IV.E.)**

22 Plaintiff’s counsel hereby confirms that the class list must be delivered to the Settlement
23 Administrator within 10 business days after the Preliminary Approval. See page 13, lines 8 to 11 of the
24 AMENDED JOINT STIPULATION AND CLASS SETTLEMENT AGREEMENT and the redlined
25 version of the AMENDED JOINT STIPULATION AND CLASS SETTLEMENT AGREEMENT,
26 attached as **Exhibit B** and **Exhibit C**, respectively, to Manjlai Decl.

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1 **B. Provide that the Settlement Administrator will attempt to locate a Class Member**
2 **during the entire notice period.**

3 Settlement Administrator will attempt to locate a Class Member during the entire notice period.
4 See page 14, lines 1 to 3 of the AMENDED JOINT STIPULATION AND CLASS SETTLEMENT
5 AGREEMENT and the redlined version of the AMENDED JOINT STIPULATION AND CLASS
6 SETTLEMENT AGREEMENT, attached as **Exhibit B** and **Exhibit C**, respectively, to Manjlai Decl.

7 **C. Provide a deadline for the Settlement Administrator to inform a Class Member of its**
8 **determination regarding a workweek dispute. (§IV.I.)**

9 The Settlement Administrator shall inform a Class Member of the determination regarding a
10 workweek dispute within thirty (30) days of mailing of the letter disputing the number of Workweeks
11 that he or she claims to have worked for Defendants in California. See page 18, lines 3 to 5 of the
12 AMENDED JOINT STIPULATION AND CLASS SETTLEMENT AGREEMENT and the redlined
13 version of the AMENDED JOINT STIPULATION AND CLASS SETTLEMENT AGREEMENT,
14 attached as **Exhibit B** and **Exhibit C**, respectively, to Manjlai Decl.

15 **D. The Notice should state verbatim the calculations for the individual settlement and**
16 **PAGA payments.**

17 The Notice now states verbatim the calculations for the individual settlement and PAGA payments
18 See pages 6 and 7 of the Notice and the redlined version of the Notice, attached as **Exhibit D** and **Exhibit**
19 **E**, respectively, to Manjlai Decl.

20 **E. Make clear in the Notice that PAGA Employees cannot opt out of the PAGA**
21 **payment.**

22 The Notice now makes it clear that PAGA Employees cannot opt out of the PAGA payment. See
23 pages 1, 8, and 9 of the Notice and the redlined version of the Notice, attached as **Exhibit D** and **Exhibit**
24 **E**, respectively, to Manjlai Decl.

25 DATED: June 28, 2022

Respectfully Submitted,

26 By: Haroon Manjlai
27 Haroon Manjlai
28 **MANJLAI LAW, PC**
 Attorney for Plaintiff, DEBRA ANDERSON