

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO**

JESSICA MALDONADO, individually, and
on behalf of other members of the general
public similarly situated

Plaintiff

v.

RADY CHILDREN'S PHYSICIAN
MANAGEMENT SERVICES, INC., a
California Corporation; RADY
CHILDREN'S HOSPITAL-SAN DIEGO, a
California Corporation; RADY
CHILDREN'S HOSPITAL AND HEALTH
CENTER, a California Corporation; and
DOES 1-10, inclusive.

Defendants

CASE NO. 37-2021-00014090-CU-OE-CTL

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: August 26, 2022
Time: 9:00 a.m.
Dept: C-73
Judge: Hon. Joel R. Wohlfeil

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 Plaintiff JESSICA MALDONADO's, individually, and on behalf of other members of the
3 general public similarly situated Unopposed Motion for Conditional Certification of Settlement Class
4 and Preliminary Approval of Good Faith Determination of Class Action Settlement, in the above-
5 captioned matter, came on for hearing before this Court on August 26, 2022 at 9:00 a.m. Sullivan &
6 Yaeckel Law Group, APC appeared on behalf of Plaintiff and the Class; Lewis Brisbois Bisgaard &
7 Smith, appeared on behalf of Defendants. On good cause shown, and pursuant to the authority of
8 California statutory and case law, this Court finds that the settlement between Plaintiff and Defendant
9 was made in good faith pursuant to California Rules of Court, rules 3.769 and 3.770. Accordingly,
10 this Court rules as follows:

11 **IT IS HEREBY ORDERED THAT:**

- 12 1. Plaintiff's Unopposed Motion for Preliminary Approval of the Class Action Settlement is
13 hereby granted.
- 14 2. Specifically, the Court preliminarily orders as follows:
 - 15 a. Conditionally certifying the following class, which is subject to the Settlement:
16 All current and former hourly non-exempt persons employed by Defendant Rady
17 Children's Physician Management Services, Inc.; Rady Children's Hospital-San Diego;
18 and Rady Children's Hospital and Health Center, in the State of California between
19 February 12, 2019 through the date of preliminary approval of the settlement.
 - 20 b. Appointing Jessica Maldonado and Valencia Plooy as Class Representatives.
 - 21 c. Appointing Sullivan & Yaeckel Law Group, APC, as Class Counsel.
 - 22 d. Approving as to form and content the proposed Notice of Class Action Settlement.
 - 23 e. Appointing CAC Services, LLC ("CAC") to act as the Settlement Administrator. CAC
24 is directed to issue—via first-class United States mail—the Notice of Proposed Class
25 Action Settlement to the proposed Class Members, as specified in the Joint Stipulation
26 and Settlement of Class Action..
 - 27 f. The Settlement is preliminarily approved subject only to the objections of Class
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Members and final review by the Court.

g. Class Counsel’s request for Attorneys’ Fees and Costs up to an amount of \$1,326,666.67, and up to \$20,000.00 in costs, is preliminarily approved, subject to the final review of the Court.

h. The Class Representative’s enhancement award of \$5,000.00 to Jessica Maldonado and \$5,000 to Valencia Plooy in consideration for serving as Class Representative is preliminarily approved, subject to final review of the Court.

3. The Court will hold a hearing on Plaintiffs’ Request for: **(1)** Final Approval of the Settlement; **(2)** Class Representative Enhancement Awards; and **(3)** Attorneys’ Fees and Costs, on _____, 2022 at 9:00 a.m. in department C-73.

IT IS SO ORDERED.

Dated: _____

HON. JOEL R. WOHLFEIL
JUDGE OF THE SUPERIOR COURT