

1 **BLUMENTHAL NORDREHAUG BHOWMIK**
2 **DE BLOUW LLP**

3 Norman B. Blumenthal (State Bar #068687)

4 Kyle R. Nordrehaug (State Bar #205975)

5 Aparajit Bhowmik (State Bar #248066)

6 2255 Calle Clara

7 La Jolla, CA 92037

8 Telephone: (858)551-1223

9 Facsimile: (858) 551-1232

10 Email: Kyle@bamlawca.com

11 Website: www.bamlawca.com

12 Attorneys for Plaintiff

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **IN AND FOR THE COUNTY OF SAN FRANCISCO**

15 BIANCA CURRY, on behalf of herself
16 and on behalf of all persons similarly
17 situated,

18 Plaintiff,

19 vs.

20 UNITED HEALTH CARE STAFFING,
21 INC., a California Corporation;
22 ON-CALL THERAPISTS, INC., a
23 California Corporation; DOES 1
24 through 50, inclusive,

25 Defendants.

Case No. CGC-21-597339

[Consolidated with Case No. CGC-22-598120]

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

Hearing Date: August 20, 2024

Hearing Time: 9:00 a.m.

Judge: Hon. Curtis E.A. Karnow

Dept: 611

Action Filed: December 28, 2021

Trial Date: Not Set

26 **TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

27 YOU ARE HEREBY NOTIFIED THAT on August 20, 2024 at 9:00 a.m., in
28 Department 611 of the above entitled Court before the Honorable Curtis E.A. Karnow,
Plaintiff Bianca Curry ("Plaintiff") will apply for an order: (1) preliminarily approving the

1 proposed settlement of this class action with Defendants United Health Care Staffing, Inc.
2 and On-Call Therapists, Inc. (“Defendants”); (2) for settlement purposes only, conditionally
3 certifying the Class, which is comprised of “all individuals who were employed by
4 Defendants in California and classified as a non-exempt employee or alleged to have been
5 misclassified as an independent contractor at any time during the Class Period” of December
6 28, 2017 through February 4, 2023; (3) provisionally appointing Plaintiff as the
7 representative of the Class; (4) provisionally appointing Norman B. Blumenthal, Kyle R.
8 Nordrehaug, and Aparajit Bhowmik of Blumenthal Nordrehaug Bhowmik De Blouw LLP as
9 Class Counsel for the Class; (5) approving the form and method for providing class-wide
10 notice; (6) directing that notice of the proposed settlement be given to the Class; (7)
11 appointing ILYM Group as the Administrator; and (8) scheduling a final approval hearing
12 date to consider Plaintiff’s motion for final approval of the settlement, entry of the Judgment
13 and for approval of attorneys' fees and expenses.

14 This is a renewed motion to address the deficiencies outlined in the Court’s Order
15 (See Memorandum at Section II). This motion for preliminary approval of the class
16 settlement is brought pursuant to California Rules of Court, rule 3.769. Plaintiff’s motion
17 will be based on this notice of motion and motion, the accompanying memorandum of points
18 and authorities, the Declaration of Kyle Nordrehaug, the First Amended Class Action and
19 PAGA Settlement Agreement (“Agreement”) between the parties, and the complete files and
20 records in this action. Because all parties have agreed to the proposed class settlement, this
21 motion is not opposed by Defendant.

22 Respectfully submitted,

23 Dated: July 25, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

24 By: /s/ Kyle Nordrehaug
25 Norman B. Blumenthal, Esq.
26 Kyle R. Nordrehaug, Esq.
27 Attorney for Plaintiff
28