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Attorneys for Plaintiff JULIO C. ROVIRA, LORENA RENTERIA, and VIRGILIO SANTOS,
On behalf of themselves and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

JULIO C. ROVIRA, individually and on
behalf of himself and all others similarly
situated,

Plaintiff,

vs.

SILVERADO SENIOR LIVING
MANAGEMENTS, INC., a Delaware
Corporation, and DOES 1-50, inclusive,

Defendants.

Case No. 30-2020-01136565-CU-OE-CXC

Assigned for All Purposes To:
Hon. Glenda Sanders
Dept.: CX-101

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT, APPROVAL OF
CLASS NOTICE, AND CONDITIONAL
CERTIFICATION OF SETTLEMENT
CLASS**

Date: March 4, 2022
Time: 1:30 p.m.
Place: Dept. CX-101

Date Action Filed: March 5, 2020
Trial Date: N/A

1 **TO DEFENDANT SILVERADO SENIOR LIVING MANAGEMENT, INC. AND TO ITS**
2 **ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE THAT** on March 4, 2022, at 1:30 p.m., in Department CX-
4 101 of the above-captioned court, located at Civil Complex Center 751 West Santa Ana Blvd.,
5 California 92701, before the Honorable Glenda Sanders, Plaintiffs Julio C. Rovira, Lorena
6 Renteria, and Virgilio Santos, individually, and on behalf of the members of the putative class
7 they seek to represent, will move this Court for an order:

8 1. Granting preliminary approval of the Settlement Agreement reached between
9 Plaintiffs and Defendant Silverado Senior Living Management, Inc. (“Defendant” or “Silverado”)
10 (collectively “the Parties”), the terms of which are set forth in the Stipulation of Class Action and
11 PAGA Settlement (the “Settlement Agreement”) attached as Exhibit 1 to the supporting
12 Declaration of James R. Hawkins (“Hawkins Declaration”);

13 2. Pursuant to California Code of Civil Procedure section 382, and for purposes of,
14 and solely in connection with, the Settlement, conditionally certifying, for settlement purposes
15 only, a Class as defined in the Settlement Agreement;

16 3. Approving James Hawkins and Christina Lucio of the law offices of James
17 Hawkins, APLC as Class Counsel;

18 4. Approving Plaintiffs as Class Representatives;

19 5. Finding the Parties’ proposed Notice of Class Action Settlement (“Class Notice”)
20 attached as Exhibit 1 to the Settlement Agreement is the best means practicable of providing
21 notice under the circumstances and when completed according to the terms of the Settlement shall
22 constitute due and sufficient notice of this Action, the Settlement, and the Final Approval Hearing
23 to all person affected by and/or authorized to participate in the Settlement in full compliance with
24 California Rule of Court 3.769, California Code of Civil Procedure section 382, and the
25 requirements of due process;

26 6. Approving the form and content of the proposed Class Notice (Exhibit 1), Request
27 for Exclusion (Opt-Out Form) (Exhibit 2), and Objection Form (Exhibit 3), and establishing a
28

1 schedule for the dissemination of the Class notice to Class Members as well as the deadlines for
2 Class members to object to or opt out in connection with the Settlement;

3 7. Approving ILYM Group, Inc. as the Settlement Administrator in this matter.

4 8. Granting the Preliminary Approval Order substantially in the form of the proposed
5 order submitted herewith.

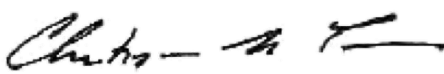
6 9. Scheduling a hearing on final approval of the Settlement at which Class Members
7 may be heard, to determine all necessary matters concerning the Settlement Agreement, including
8 whether the Settlement is fair, adequate, and reasonable, whether this Court should grant final
9 approval, whether to grant Plaintiffs' Counsel's applications for awards of fees and costs, and
10 whether to grant Plaintiffs' application for Class Representative Service Awards.

11 This motion is brought pursuant to California Rule of Court 3.769 and California Code of
12 Civil Procedure section 382, and is based on this Notice of Motion and Motion; the Memorandum
13 of Points and Authorities in support of the Motion; the Declaration of James R. Hawkins in
14 Support of Motion for Preliminary Approval; the Declaration of Christina M. Lucio in Support of
15 Motion for Preliminary Approval; the Declarations of Julio C. Rovira, Lorena Renteria, and
16 Virgilio Santos in Support of Motion for Preliminary Approval; all documents currently on file in
17 this action; the arguments of counsel; and such other and further evidence as the Court may
18 choose to entertain.

19
20 Dated: November 18, 2021

Respectfully submitted,

James Hawkins, APLC

21
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23 By: 

24 James R. Hawkins
Christina M. Lucio

25 Attorneys for Plaintiffs
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PROOF OF SERVICE, COUNTY OF ORANGE

I am a resident of the State of California, County of Orange. I am over the age of eighteen years and not a party to the within action. My business address is 9880 Research Drive., Suite 200, Irvine, California 92618.

On November 19, 2021, I served on the interested parties in this action the following document(s) entitled:

- **PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, APPROVAL OF CLASS NOTICE, AND CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS**
- **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, APPROVAL OF CLASS NOTICE, AND CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS**
- **DECLARATION OF JAMES R. HAWKINS IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, APPROVAL OF CLASS NOTICE, AND CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS**
- **DECLARATION OF CHRISTINA M. LUCIO IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, APPROVAL OF CLASS NOTICE, AND CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS**
- **DECLARATION OF PLAINTIFF JULIO C. ROVIRA IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, APPROVAL OF CLASS NOTICE, AND CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS**
- **DECLARATION OF PLAINTIFF LORENA RENTERIA IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, APPROVAL OF CLASS NOTICE, AND CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS**
- **DECLARATION OF PLAINTIFF VIRGILIO SANTOS IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, APPROVAL OF CLASS NOTICE, AND CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS**
- **[PROPOSED] ORDER GRANTING PRELIMINARY APPROVAL OF SETTLEMENT AND SETTING A SETTLEMENT FAIRNESS HEARING**

1 **[XX] BY ELECTRONIC SERVICE:** Based on a court Order or an agreement by the parties to
2 accept service by e-mail or electronic transmission, I caused the document(s) to be sent from the
3 email address jocelyn@jameshawkinsaplc.com to the persons at the e-mail addresses listed in the
4 Service List below. I did not receive, within a reasonable time after the transmission, any
5 electronic message or other indication that the transmission was unsuccessful.

5 **SERVICE LIST**

6 Jeffrey S. Ranen, Esq.
7 Joshua D. Carlon, Esq.
8 Andrea Steffan, Esq.
9 LEWIS BRISBOIS BISGAARD & SMITH LLP
10 633 West 5th Street, Suite 4000
11 Los Angeles, California 90071
12 Tel: 213-250-1800
13 Fax: 213-250-7900
14 Jeffrey.Ranen@lewisbrisbois.com
15 Joshua.Carlon@lewisbrisbois.com
16 Andrea.Steffan@lewisbrisbois.com

17 *Attorneys for Defendant*
18 *SILVERADO SENIOR LIVING MANAGEMENT, INC.*

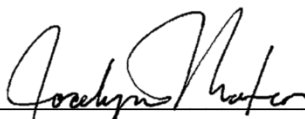
19 *(via electronic-mail)*

20 Labor and Workforce Development Agency
21 Attn: PAGA Administrator
22 1515 Clay Street, Ste. 801
23 Oakland, CA 94612
24 <http://www.dir.ca.gov/Private-Attorneys-General-Act>

25 *(via LWDA website)*

26 **[X] STATE:** I declare under penalty of perjury, under the laws of the State of California, that the
27 above is true and correct.

28 Executed on November 19, 2021, at Irvine, California.


JOCELYN MATEO