

RICHARD LAW, P.C.

Diane E. Richard (State Bar No. 204897)
5060 N. Harbor Drive, Suite 265
San Diego, CA 92106
Telephone: (619) 880-5534; Facsimile: (619) 880-5459
diane@richardlawpc.com

Attorneys for PLAINTIFFS JOANABELLE PIZARRO ORDONA and
TAKEYA RIDEOUT

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE**

JOANABELLE PIZARRO ORDONA,
TAKEYA RIDEOUT, Individually and on
Behalf of Other Members of the Public and
those Similarly Situated,

Plaintiffs,

v.

FIRST CLASS NURSES, INC., a California
Corporation,
AMGAD WAHBA,
RAMY WAHBA, and
DOES 1-10, Inclusive,

Defendants.

Case No. 30-2021-01238237-CU-OE-CXC

ASSIGNED FOR ALL PURPOSES TO:

HONORABLE LON F. HURWITZ

DEPARTMENT: CX-103

ACTION FILED: DECEMBER 27, 2021

FAC FILED: MARCH 23, 2022

ANSWER FILED: APRIL 26, 2022

CLASS ACTION/PAGA ACTION
**NOTICE OF MOTION AND PLAINTIFFS’
MOTION FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT, AND
APPROVAL OF CLASS REPRESENTATIVE
SERVICE PAYMENTS, ADMINISTRATION
EXPENSES, AND ATTORNEYS’ FEES AND
COSTS**

Hearing:

Date: July 12, 2024

Time: 1:30 p.m.

Location: Dept.: CX-103

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEY OF RECORD:

PLEASE TAKE NOTICE THAT on **July 12, 2024 at 1:30 p.m.**, or as soon thereafter as the matter
can be heard before the Honorable Lon F. Hurwitz, in Department CX-103 of the Orange County Superior
Court, located at Civil Complex Center, 751 West Santa Ana Blvd., Santa Ana, CA 92701, plaintiffs
Joanabelle Pizarro Ordon and Takeya Rideout (“Plaintiffs”) will, and hereby do, move the Court to grant

NOM AND PLAINTIFFS’ MTN FOR FINAL APPROVAL OF CLASS & PAGA SETTLEMENT, SERVICE
PAYMENTS, ADMIN EXPENSES, AND ATTY FEES AND COSTS

1 final approval of: (i) the proposed class action and PAGA Settlement¹; and (ii) settlement administration
2 expenses to the Administrator, Class Representative Service Payments, and an award attorney's fees and
3 costs to Class Counsel. **All Class Members have been given the opportunity to participate in, opt-out**
4 **of, or object to the Settlement. To date, there have been no opt-outs from or objections to the**
5 **Settlement. This Motion is unopposed by Defendants.** Specifically, Plaintiffs request that the Court
6 issue a final order:

- 7 (i) granting final approval of the class action and PAGA settlement codified in the Class
8 Action and PAGA Settlement Agreement;
- 9 (ii) granting final certification of the Class pursuant to California Code of Civil Procedure
10 §382, and solely for settlement purposes;
- 11 (iii) approving the funding and distribution of monies in accordance with the Settlement terms;
- 12 (iv) finally appointing Diane E. Richard of Richard Law, P.C. as Class Counsel for the Class;
- 13 (v) finally appointing Plaintiffs Joanabelle Pizarro Ordon and Takeya Rideout as Class
14 Representatives of the proposed Class;
- 15 (vi) finally approving the PAGA Penalties including the LWDA PAGA Payment for its share
16 of PAGA Penalties in the amount of \$3,750.00;
- 17 (vii) finally approving the payment to the Administrator in the amount of \$6,000.00; and
- 18 (viii) finally approving the Class Representative Service Payments in the amount of \$10,000.00
19 each to Joanabelle Pizarro Ordon and Takeya Rideout;
- 20 (ix) finally approving a total award of attorney's fees and costs in the amounts of \$104,000.00
21 and \$11,288.58 respectively to Class Counsel;
- 22 (x) setting a final compliance/accounting hearing and due date for compliance status report;
23 and
- 24 (xi) entering a final judgment consistent with the Settlement and this Motion.

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26
27 ¹ All capitalized terms not otherwise defined shall have the same definitions as set forth in the Class Action
28 and PAGA Settlement Agreement ("Settlement Agreement" or "Settlement") attached as Ex. 1 to the
Supplemental Declaration of Diane E. Richard in Support of Plaintiffs' Motion for Preliminary Approval
of Class Action Settlement (ROA #118).

1 The “Class” means, for purposes of settlement only, all non-exempt employees of First Class Nurses, Inc.
2 (“FCN”) who worked for FCN at the Centinela Hospital Medical Center in Inglewood, California at any
3 time during the Class Period of December 27, 2017 to March 1, 2023.

4 Plaintiffs make this Motion on the following grounds: (i) the Class meets all the requirements for
5 class certification for settlement purposes only under California Code of Civil Procedure §382; (ii)
6 Plaintiffs and their counsel are adequate to represent the Class; and (iii) the Settlement and all proposed
7 distributions including for settlement awards, administration expenses, service payments, attorneys’ fees
8 and costs, in all regards, reflects a fair, adequate, and reasonable settlement and compromise of disputed
9 wage and hour claims and is well within the range of possible final approval in view of Defendants’
10 potential liability exposure as compared against the risk of continued litigation.

11 This motion is based upon this Notice of Motion and Motion; the accompanying Memorandum of
12 Points and Authorities; the Declaration of Class Counsel Diane E. Richard; the Declaration of the
13 Settlement Administrator (Nick Castro of ILYM Group); the [Proposed] Order of Final Approval of Class
14 Action and PAGA Settlement and Final Judgment, and the attached exhibits; the Declarations of Plaintiff
15 Joanabelle Pizarro Ordon, Plaintiff Takeya Rideout and Amgad Wahba of First Class Nurses, Inc. filed
16 in conjunction with the motion for preliminary approval², such evidence and argument of counsel as may
17 be presented at the hearing, the complete files and records in the action, and such additional matters as the
18 Court may consider.

19 Respectfully submitted,

20 RICHARD LAW, P.C.

21 June 18, 2024

22 By: Diane Richard
23 DIANE E. RICHARD
24 Attorney for Plaintiffs,
25 Joanabelle Pizarro Ordon and
26 Takeya Rideout

27 ² The declarations of Plaintiff Ordon, Plaintiff Rideout, and Amgad Wahba were originally filed with this
28 Court in conjunction with the Motion for Preliminary Approval. To avoid re-filing these declaration and
for the convenience of the Court, the Ordon Declaration is at ROA #122, the Rideout Declaration is at
ROA #124 and the Wahba Declaration is at ROA #120.

PROOF OF SERVICE

Joanabelle Pizarro Ordon, et al. v. First Class Nurses, Inc. (30-2021-01238237-CU-OE-CXC)

1. At the time of service, I was a United States citizen, a resident of the County of San Diego, over 18 years of age, and not a party to or interest in this action.

2. My business address is 5060 N. Harbor Drive, Suite 265, San Diego, CA 92106.

3. On **June 18, 2024**, I served the following document(s), including all exhibits thereto:

- **NOTICE OF MOTION AND PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT, AND APPROVAL OF CLASS REPRESENTATIVE SERVICE PAYMENTS, ADMINISTRATION EXPENSES, AND ATTORNEYS' FEES AND COSTS**

4. I served the document(s) on the following:

FISHER & PHILLIPS LLP

Boris Sorsher (State Bar No. 251718)

Lisa Peterson (State Bar No. 292798)

2050 Main Street, Suite 1000

Irvine, CA 92614

Telephone: (949) 851-2424; Facsimile: (949) 851-0152

Electronic Service Addresses: bsorsher@fisherphillips.com; lpeterson@fisherphillips.com

5. The document(s) were served by the following means:

- ☒ **BY ELECTRONIC SERVICE** –Based on a court order, court rule, or an agreement of the parties to accept electronic service, I caused such document(s) to be delivered to the person(s) at the electronic service address set forth above. Said document(s) was/were served electronically and the transmission was reported as complete and without error.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **June 18, 2024**, at San Diego, California.

Diane Richard

Name

/s/ Diane Richard

Signature