

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

Norman B. Blumenthal (State Bar #068687)

Kyle R. Nordrehaug (State Bar #205975)

Aparajit Bhowmik (State Bar #248066)

2255 Calle Clara

La Jolla, CA 92037

Telephone: (858)551-1223

Facsimile: (858) 551-1232

Email: Kyle@bamlawca.com

Website: www.bamlawca.com

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF CONTRA COSTA

MARK BRUNO KOVACIC, an individual,
on behalf of himself and on behalf of all
persons similarly situated, and on behalf of
the State of California, as a private attorney
general,

Plaintiffs,

vs.

THE ALARIS GROUP, INC., a
Corporation; PARADIGM
MANAGEMENT SERVICES, LLC, a
Limited Liability Company, and DOES 1
through 50, inclusive,

Defendants.

CASE NO.: **C22-01125**

[Consolidated with Case No. C22-01425]

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

Hearing Date: 07/11/24

Hearing Time: 9:00 a.m.

Judge: Hon. Charles S. Treat
Dept.: 12

Action Filed: June 1, 2022

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on a date to be set by the clerk,
in Department 12 at the above entitled Court before the Honorable Charles S. Treat, Plaintiff
Mark Bruno Kovacic ("Plaintiff") will apply for an order: (1) preliminarily approving the
proposed settlement of this class action with Defendants The Alaris Group, Inc. and

1 Paradigm Management Services, LLC (“Defendants”); (2) for settlement purposes only,
2 conditionally certifying the Class, which is comprised of “all individuals who are or
3 previously were employed by Defendants in California who worked as Case Managers and
4 who were classified as exempt basis at any time during the Class Period”, which is June 1,
5 2018 to January 30, 2024; (3) provisionally appointing Plaintiff as the representative of the
6 Class; (4) provisionally appointing Norman B. Blumenthal, Kyle R. Nordrehaug, and Aparajit
7 Bhowmik, Nicholas J. De Blouw and Christine T. LeVu of Blumenthal Nordrehaug
8 Bhowmik De Blouw LLP as Class Counsel; (5) approving the form, content, and method for
9 providing class-wide notice; (6) directing that notice of the proposed settlement be given to
10 the Class; (7) appointing ILYM Group, Inc. as Administrator, (8) preliminarily approving the
11 allocation of \$15,000 from the Gross Settlement Amount to settle Plaintiff’s representative
12 claims under the Private Attorneys General Act, Lab. Code §§ 2698 *et seq.*, (“PAGA”), of
13 which seventy-five percent (75%) will be paid to the Labor and Workforce Development
14 Agency (“LWDA”) and twenty-five percent (25%) shall be distributed to Aggrieved
15 Employees; and (9) scheduling a final approval hearing date, for the proposed date which is
16 at least 120 days from preliminary approval, to consider Plaintiff’s motion for final approval
17 of the Settlement and for approval of attorneys’ fees and expenses.

18 This unopposed motion for preliminary approval of the class settlement is brought
19 pursuant to California Rules of Court, rule 3.769. Plaintiff’s motion will be based on this
20 notice of motion and motion, the accompanying memorandum of points and authorities, the
21 Declaration of Kyle Nordrehaug, the Declaration of the Plaintiff, the Class Action and PAGA
22 Settlement Agreement (“Agreement”) between the Parties, and the complete files and records
23 in this action. Because all Parties have agreed to the proposed class settlement, this motion is
24 not opposed by Defendants.

25 Respectfully submitted,

26 Dated: April 9, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

27 By: /s/ Kyle Nordrehaug
28 Kyle R. Nordrehaug, Esq.
Attorney for Plaintiff