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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO**

GLORIA GUINILING, an individual,
on behalf of herself, on behalf of all
persons similarly situated,

Plaintiff,

vs.

ESCONDIDO MEDICAL INVESTORS
LIMITED PARTNERSHIP LIFE CARE
CENTER OF ESCONDIDO, a Limited
Partnership; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 37-2022-00019520-CU-OE-CTL

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

Hearing Date: August 18, 2023

Hearing Time: 9:00 a.m.

Judge: Hon. Matthew C. Braner
Dept.: 60

Action Filed: May 23, 2022

Trial Date: Not set

TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

YOU ARE HEREBY NOTIFIED THAT on August 18, 2023 at 9:00 a.m., in
Department 6 of the above entitled Court before the Honorable Matthew C. Braner, Plaintiff
Gloria Guiniling ("Plaintiff") will apply for an order: (1) preliminarily approving the

1 proposed settlement of this class action with Defendant Escondido Medical Investors
2 Limited Partnership Life Care Center of Escondido (“Defendant”); (2) for settlement
3 purposes only, conditionally certifying the Class, which is comprised of “all individuals who
4 were employed by Defendant in California and classified as a non-exempt employee at any
5 time during the Class Period” of May 23, 2018 through August 16, 2022; (3) provisionally
6 appointing Plaintiff as the representative of the Class; (4) provisionally appointing Norman
7 B. Blumenthal, Kyle R. Nordrehaug, Aparajit Bhowmik, Nicholas J. De Blouw, Jeffrey S.
8 Herman, and Sergio J. Puche of Blumenthal Nordrehaug Bhowmik De Blouw LLP as Class
9 Counsel for the Class; (5) approving the form and method for providing class-wide notice;
10 (6) directing that notice of the proposed settlement be given to the Class; (7) appointing
11 ILYM Group, Inc. as the Administrator; and (8) scheduling a final approval hearing date for
12 January 12, 2024 to consider Plaintiff’s motion for final approval of the settlement and entry
13 of the Judgment, and Plaintiff’s motion for approval of attorneys’ fees and expenses.

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

21 Respectfully submitted,

22 Dated: July 25, 2023

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

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