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Attorneys for Plaintiff Julia Garcia, individually and on behalf of other persons similarly situated and similarly aggrieved employees

[ADDITIONAL COUNSEL LISTED AFTER CAPTION]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

JULIA GARCIA, JUAN MANUEL
CONTRERAS, individually and on behalf
of other persons similarly situated and
similarly aggrieved employees,

Plaintiffs,

v.

NEW VISTA NURSING OPERATOR,
LLC, an active California Limited
Liability Company; and DOES 1 through
10,

Defendants.

Case No.: 22STCV08228

CLASS AND REPRESENTATIVE
ACTION

*[Assigned to Hon. Kenneth R. Freeman
in Dept. SS-14]*

**[PROPOSED] ORDER GRANTING
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

[FILED CONCURRENTLY WITH
NOTICE OF MOTION AND MOTION;
DECLARATION OF HAIK
HACOPIAN WITH EXHIBITS;
DECLARATION OF ZORIK
MOORADIAN; DECLARATION OF
SHOHAM J. SOLOUKI;
DECLARATION OF JULIA GARCIA;
DECLARATION OF JUAN MANUEL
CONTRERAS]

Date: June 6, 2024

Time: 10:00 a.m.

Dept.: SS-14

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8 Attorneys for: Plaintiff JUAN MANUEL CONTRERAS, individually and on behalf
9 of other persons similarly situated and similarly aggrieved employees
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1 On June 6, 2024, the Court considered the motion of Plaintiff Julia Garcia and Plaintiff
2 Juan Manuel Contreras for preliminary approval of the Parties' proposed class action
3 Settlement.

4 The Court having read and considered the papers on the motion submitted by Class
5 Counsel, having heard the presentation of Class Counsel and Defendant's counsel, having
6 reviewed all of the submissions presented with respect to the proposed Settlement, having
7 carefully considered the requirements for class certification, and having preliminarily
8 determined that the Settlement is fair, adequate, and reasonable, it is hereby ORDERED
9 ADJUDGED, and DECREED that:

10 1. Preliminary Approval of the Class Action Settlement is GRANTED pursuant
11 to Cal. Rules of Court, rule 3.769;

12 2. The Settlement, as set forth in the Class Action and PAGA Settlement
13 Agreement ("Settlement Agreement"), is in all respects fair, reasonable, adequate, and in the
14 best interests of the Settlement Class, and it is preliminarily approved. Except as expressly set
15 forth herein, the Parties shall effectuate the Settlement Agreement according to its terms. The
16 Settlement Agreement, and every term and provision thereof, shall be deemed incorporated
17 herein as if explicitly set forth and shall have full force of an Order of this Court;

18 3. The Court finds that the notice plan set forth in the Settlement Agreement
19 constitutes the best notice practicable under the circumstances and shall constitute due and
20 sufficient notice to the Settlement Class of the pendency of the Action, the terms of the
21 Settlement Agreement, the Final Approval Hearing, and satisfies the requirements of
22 California law and federal due process law;

23 4. The proposed Settlement Class is provisionally certified under Civ. Code §
24 382, with the Class consisting of:

25 All current and former non-exempt, hourly paid employees who
26 worked for Defendant New Vista Nursing Operator, LLC in California
at any time during the period from March 7, 2018 to June 11, 2023
("Class Period").

5. Plaintiff Julia Garcia and Plaintiff Juan Manuel Contreras are appointed as the

1 Class Representatives;

2 6. Zorik Mooradian and Haik Hacopian of Mooradian Law, APC and Shoham J.
3 Solouki of Solouki & Savoy, LLP are appointed as Class Counsel for the class;

4 7. Phoenix Settlement Administrators is appointed as the third-party
5 administrator (“Settlement Administrator”);

6 8. The proposed settlement of Plaintiffs’ Private Attorneys General Act (the
7 “PAGA”) claims is preliminarily approved;

8 9. The proposed Class Notice, attached as Exhibit A to the Settlement
9 Agreement, is approved and shall be disseminated according to the notice plan described in
10 the Settlement Agreement and substantially in the form submitted;

11 10. In conformity with the Class Notice, Settlement Class Members wishing to be
12 excluded from the Settlement Class must submit a written request for exclusion requesting
13 exclusion from the Settlement on or before the expiration of the opt out period (60 days after
14 the date that the Class Notice is mailed);

15 11. In conformity with the Class Notice, any Settlement Class Member who does
16 not opt out of the Settlement may object to the settlement, either personally or through an
17 attorney, orally at the Final Approval Hearing or by providing written notice that the
18 Settlement Class Member is objecting to the Settlement Administrator, which written notice
19 must be postmarked no later than 60 days after the date that the Class Notice is mailed;

20 12. A Final Approval Hearing will be held on _____,
21 to determine if the proposed settlement should be granted final approval. The Court will hear
22 all evidence and argument necessary to evaluate the Settlement, and will consider Plaintiffs’
23 request for Class Representative Service Payments, Class Counsel’s request for Attorney’s
24 Fees, Class Counsel’s request for Costs, payment to the LWDA, and payment to the
25 Settlement Administrator. Any Settlement Class Member who complies with the procedures
26 and requirements specified in the Class Notice may appear at the Final Approval Hearing;

13. Class Counsel is to file and serve the Motion for Final Approval of Class
Action Settlement and for Awards of Class Representatives’ Service Awards, Attorneys’

1 Fees, Costs, payment to the LWDA, and payment to the Settlement Administrator, by
2 _____; and

3 14. The Court shall retain jurisdiction necessary to effectuate this Order and
4 consider all further applications out of or in connection with the Settlement.

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Dated: _____

By: _____

Honorable Kenneth R. Freeman
Judge of the Superior Court