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Attorneys for Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO**

MARIANNE RAMIREZ, individually, and on
behalf of other members of the general public
similarly situated;

Plaintiff,

v.

DELTA DENTAL OF CALIFORNIA, a
California corporation; and DOES 1 through
100, inclusive;

Defendants.

Case No.: CGC-21-589648

Assigned for All Purposes to:
Honorable Andrew Y.S. Cheng
Department 613

CLASS ACTION

**PLAINTIFFS' SECOND
SUPPLEMENTAL BRIEF IN SUPPORT
OF PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

[Second Supplemental Declaration of
Proposed Class Counsel (Douglas Han); and
Amended [Proposed] Order filed
concurrently herewith]

Hearing Date: January 24, 2024
Hearing Time: 2:00 pm
Hearing Place: Department 613

Complaint Filed: February 4, 2021
FAC Filed: October 4, 2022
Trial Date: None Set

Plaintiffs Marianne Ramirez and Wendy Campbell (“Plaintiffs”) provide this supplemental submission in response to the Court’s November 1, 2023, tentative ruling on Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement.

The chart below lists each of the Court’s issues from the tentative ruling and the revisions/submissions made to address each issue.

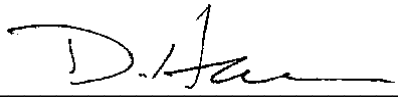
Ruling	Revisions/Submissions
(1) The parties must include a definition of “Professional and Clerical employees” with either its constituent job titles or a description of duties either in the amended settlement agreement or the operative complaint.	The parties agreed to modify the class definition in the Settlement Agreement to include all of the job titles for Professional and Clerical employees. (<i>See</i> Second Supplemental Declaration of Douglas Han (“Supp Han Dec.”), ¶ 7, Exhibit 1 at §II, ¶ 5. The Class Notice was also amended to define “Professional and Clerical employees.” (Supp Han Dec., ¶ 8, Exhibit 3.)
(2) The parties must revise the escalator clause to eliminate Defendant’s option to change the class period in lieu of making an increased payment.	The Settlement Agreement was amended to exclude the option to change the class period in lieu of making an increased payment in the escalator clause. (Supp Han Decl, <i>supra</i> , Exhibit 1, at §VII, ¶ 7.2.)
(3) The terms of the agreement should be modified such that the settlement administrator will make the final determination on workweek disputes.	The Settlement Agreement has been amended to make the Settlement Administrator the final decision-maker on disputes over a Class Member’s Eligible Workweeks. (Supp Han Decl., <i>supra</i>, Exhibit 1 at §VIII, ¶

8.7)

Considering the revisions in the class definition and modification of other settlement terms to the Court's satisfaction, the Court should find the settlement fair and reasonable.

Dated: December 21, 2023

JUSTICE LAW CORPORATION

By: 
Douglas Han
Attorney for Plaintiffs

1 **PROOF OF SERVICE**
2 **1013A(3) CCP**

3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18
5 and not a party to the within action. My business address is 751 N. Fair Oaks Avenue, Suite 101,
6 Pasadena, CA 91103 and my electronic service address is manderson@justicelawcorp.com

7 On December 21, 2023, I served the foregoing document described as

8 **PLAINTIFFS' SECOND SUPPLEMENTAL BRIEF IN SUPPORT OF PRELIMINARY**
9 **APPROVAL OF CLASS ACTION SETTLEMENT**

10 for the following case: **Ramirez, et al. v. Delta Dental of California**
11 LWDA/Court Case No.: **LWDA Case No.: CM- 891853-22**
Court Case No.: CGC-21-589648
San Francisco County Superior Court

12 on interested parties in this action by electronically submitting as follows:

13 State of California
14 Labor & Workforce Development Agency
15 800 Capitol Mall, MIC-55
Sacramento, California 95814

16 **[X] BY ELECTRONIC SUBMISSION**

17 Pursuant to California Senate Bill No. 836, I caused the documents described above to be
18 electronically submitted by and through the procedure stated on the website of the State
of California Labor and Workforce Development Agency.

19 **[X] STATE**

20 I declare under penalty of perjury under the laws of the State of California that the above
21 is true and correct.

22 Executed on December 21, 2023, at Pasadena, California.

23 

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25 Mariah Anderson
26
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