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Attorneys for Plaintiff ANGEL PEREZ
On behalf of herself and all others similarly situated

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

ANGEL PEREZ, on behalf of herself and all
others similarly situated,

Plaintiff,

vs.

HILTON MANOR, LLC; BLUE JAY
MANOR, LLC; JUNIPER MANOR, LLC;
BRIGHT SKY HOME HEALTH CARE,
INC.; BRIGHT SKY HOSPICE CARE INC.;
ELEANOR ISWINARI POSNER; and DOES
3-50, inclusive,

Defendants.

) Case No. CIVSB2220728

) **NOTICE OF MOTION FOR**
) **PRELIMINARY APPROVAL OF CLASS**
) **ACTION SETTLEMENT;**
) **CONDITIONAL CERTIFICATION OF**
) **SETTLEMENT CLASS; APPOINTMENT**
) **OF CLASS REPRESENTATIVE, CLASS**
) **COUNSEL AND SETTLEMENT**
) **ADMINISTRATOR; APPROVAL OF**
) **CLASS NOTICE PACKET; AND**
) **SETTING OF FINAL APPROVAL**
) **HEARING**

) Date: July 31, 2024

) Time: 8:30 a.m.

) Judge: Hon. Jessica Morgan

) Dept: S-26

) Action Filed: September 16, 2022

) Trial Date: None

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1 **NOTICE OF MOTION**

2 **TO THE CLERK OF THE COURT AND ALL INTERESTED PARTIES:**

3 **PLEASE TAKE NOTICE** that on July 31, 2021, at 8:30 a.m., or as soon thereafter as the
4 matter may be heard, in Department S-26 of this Court, located at 247 West Third Street,
5 San Bernardino, California 92415, before the Honorable Jessica Morgan, plaintiff Angel Perez
6 (“Plaintiff”) will and hereby does move the Court for preliminary approval of her class action
7 settlement; conditional certification of the settlement class; appointment of the class representative,
8 class counsel and settlement administrator; approval of the class notice; and setting of the final
9 approval hearing.

10 This motion is made on the grounds that the parties have reached a fair and reasonable
11 settlement of Plaintiff’s claims that will deliver substantial value to the settlement class, and the
12 settlement is deserving of approval by this Court.

13 This motion is based upon this notice; the accompanying Motion for Preliminary Approval
14 of Class Action Settlement; Declaration of Angel Perez; Declaration of Torey Joseph Favarote; and
15 [Proposed] Order (1) Preliminarily Approving Proposed Settlement; (2) Conditionally Certifying
16 Settlement Class; (3) Appointing the Class Representative, Class Counsel, and Settlement
17 Administrator; (4) Approving the Class Notice Packet; and (5) Setting a Hearing for Final
18 Approval of Settlement; the Court’s record of this action; all matters of which the Court may take
19 notice; and such oral and documentary evidence received by the Court at the hearing on the
20 motion.

21 Dated: July 9, 2024

22 GLEASON & FAVAROTE LLP
23 TOREY JOSEPH FAVAROTE
24 DAVID H. DANNING

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26 _____
27 Torey Joseph Favarote

28 Attorneys for Plaintiff Angel Perez, on
behalf of herself and all others similarly
situated

PROOF OF SERVICE

I, Thomas Steinhart, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the within action. My business address is Gleason & Favarote, LLP, 3646 Long Beach Blvd., Suite 203, Long Beach, CA 90807.

On July 9, 2024, I served a copy(ies) of the following document(s):

NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT; CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS; APPOINTMENT OF CLASS REPRESENTATIVE, CLASS COUNSEL AND SETTLEMENT ADMINISTRATOR; APPROVAL OF CLASS NOTICE PACKET; AND SETTING OF FINAL APPROVAL HEARING

on the parties to this action by having them placed them in a sealed envelope(s) addressed as follows:

Attorney	Party(ies) Served	Method of Service
Erick J. Becker, P.C. Garrett Fahy Hwui Lee CUMMINS & WHITE, LLP 2424 S.E. Bristol St., Ste. 300 Newport Beach, CA 92660 Tel: (949) 852-1800 Fax: (949) 852-8510 ebecker@cwlawyers.com gfahy@cwlawyers.com hlee@cwlawyers.com dpimentel@cwlawyers.com dgabrielson@cwlawyers.com	Attorney for Defendants HILTON MANOR, LLC; BLUE JAY MANOR, LLC; JUNIPER MANOR, LLC; BRIGHT SKY HOME HEALTH CARE, INC.; BRIGHT SKY HOSPICE CARE INC.; and ELEANOR ISWINARI POSNER	Hand

- ☐ [BY OVERNIGHT COURIER] I caused the sealed envelope(s) to be delivered by a commercial courier service for overnight delivery to the offices of the addressee(s).
- ☒ [BY HAND] I directed the sealed envelope(s) to the party(ies) so designated on the service list to be delivered by Bosco Legal Services, Inc. this date.
- ☐ [BY FACSIMILE TRANSMISSION] I caused said document to be sent by facsimile transmission to the fax number indicated for the party(ies) listed above.
- ☐ [BY DESIGNATED ELECTRONIC FILING SERVICE] I hereby certify that the above-referenced document(s) were served electronically on the parties listed herein at their most recent known email address or email of record by submitting an electronic version of the document(s) to One Legal, LLC, through the user interface at www.onelegal.com.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that this declaration was executed on July 9, 2024, at Long Beach, California.

Thomas Steinhart