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Attorneys for Defendant

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

THUY-TRUC TRAN, individually, and on
behalf of aggrieved employees pursuant to
the Private Attorneys General Act
("PAGA");

Plaintiff,

v.

BYRAM HEALTHCARE CENTERS,
INC., a New Jersey corporation; and DOES
1 through 100, inclusive;

Defendants.

Case No.: 30-2023-01309069-CU-OE-CXC

Assigned for All Purposes to:
Honorable Melissa McCormick
Department CX-104

CLASS ACTION

**SECOND AMENDMENT TO THE JOINT
STIPULATION OF CLASS ACTION AND
PAGA SETTLEMENT**

Complaint Filed: February 21, 2023
FAC Filed: January 12, 2024
Trial Date: None Set

1 This Amendment to the Joint Stipulation of Class Action and PAGA Settlement is
2 entered into by Plaintiffs Thuy-Truc Tran and Emily Lauber (“Plaintiffs”) on her own behalf
3 and on behalf of all members of the Class on the one hand and Defendant Byram Healthcare
4 Centers, Inc. (“Defendant”) on the other.

5 RECITALS

6 1. On January 4, 2024, the Parties fully executed the Joint Stipulation of Class
7 Action and PAGA Settlement (“Settlement Agreement”) representing the long-form agreement
8 submitted to the Court for approval.

9 2. On January 25, 2024, Plaintiffs submitted the Settlement Agreement to the
10 Court for approval, which was set for hearing on May 16, 2024.

11 3. On May 16, 2024, the Court issued a tentative ruling ordering the Parties to
12 modify portions of the Settlement Agreement (and exhibits), as well as provide supplemental
13 information for the Court’s review, and continued the Motion for Preliminary Approval of
14 Class Action Settlement hearing to September 12, 2024.

15 4. Thereafter, the Parties met and conferred and agreed to modify certain portions
16 of the Settlement Agreement (and exhibits) consistent with the Court’s order and hereby submit
17 this Amendment to the Joint Stipulation of Class Action and PAGA Settlement.

18 5. On September 12, 2024, the Court issued a second tentative ruling ordering the
19 Parties to modify portions of the Settlement Agreement (and exhibits), as well as provide
20 further supplemental information for the Court’s review, and continued the Motion for
21 Preliminary Approval of Class Action Settlement hearing to January 23, 2025.

22 STIPULATION

23 **1. Section I(EE) previously read as follows:**

24 **PAGA Released Claims:** As of the Effective Date and upon fulfillment of Defendant’s
25 payment obligations under section III(H)(2) of this Agreement, the claims that Plaintiffs and
26 Eligible Aggrieved Employees are releasing in exchange for the consideration provided for by
27 this Agreement are defined as all claims based on the facts alleged in the First Amended
28 Complaint and notice letter to the LWDA. This includes claims for civil penalties under PAGA

1 based upon or arising out of Defendant's alleged: (1) failure to pay minimum wage; (2) failure
2 to pay overtime wages; (3) failure to provide meal breaks; (4) failure to provide rest breaks; (5)
3 failure to pay meal period premium wages; (6) failure to pay rest period premium wages; (7)
4 failure to pay sick leave; (8) failure to provide accurate wage statements; (9) failure to timely
5 pay wages during employment and at separation; (10) failure to maintain accurate payroll
6 records; (11) failure to reimburse business-related expenses; and (12) claims for civil penalties
7 arising under or based upon alleged violations of Labor Code sections 201, 202, 203, 204, 210,
8 218.5, 221, 226(a), 226.3, 226.7, 246, 432.5, 510, 512(a), 551, 552, 558, 1174(d), 1194, 1197,
9 1197.1, 1198, 2800 and 2802, and/or those arising under applicable Industrial Welfare
10 Commission Wage Orders. The Released Parties shall be entitled to a release of the PAGA
11 Released Claims which occurred only during the PAGA Period and during such time that the
12 Eligible Aggrieved Employee was classified as hourly-paid and/or non-exempt.

13 **Section I(EE) shall now read as follows:**

14 **PAGA Released Claims:** As of the Effective Date and upon fulfillment of Defendant's
15 payment obligations under section III(H)(2) of this Agreement, the claims that Plaintiffs and
16 Eligible Aggrieved Employees are releasing in exchange for the consideration provided for by
17 this Agreement are defined as all claims for civil penalties based on the facts alleged in the
18 First Amended Complaint and notice letter to the LWDA. These are claims for civil penalties
19 under PAGA based upon or arising out of Defendant's alleged: (1) failure to pay minimum
20 wage; (2) failure to pay overtime wages; (3) failure to provide meal breaks; (4) failure to
21 provide rest breaks; (5) failure to pay meal period premium wages; (6) failure to pay rest period
22 premium wages; (7) failure to pay sick leave; (8) failure to provide accurate wage statements;
23 (9) failure to timely pay wages during employment and at separation; (10) failure to maintain
24 accurate payroll records; (11) failure to reimburse business-related expenses; and (12) claims
25 for civil penalties arising under or based upon alleged violations of Labor Code sections 201,
26 202, 203, 204, 210, 218.5, 221, 226(a), 226.3, 226.7, 246, 432.5, 510, 512(a), 551, 552, 558,
27 1174(d), 1194, 1197, 1197.1, 1198, 2800 and 2802, and/or those arising under applicable
28 Industrial Welfare Commission Wage Orders. The Released Parties shall be entitled to a release

1 of the PAGA Released Claims which occurred only during the PAGA Period and during such
2 time that the Eligible Aggrieved Employee was classified as hourly-paid and/or non-exempt.

3
4 Dated: 11/26/2024

THUY-TRUC TRAN

5 
6 _____

7 Dated: 11/26/2024

EMILY LAUBER

8 
9 _____

10 Dated: _____

BYRAM HEALTHCARE CENTERS, INC.

11
12
13 Name: _____
14 Title: _____

15 **APPROVED AS TO FORM**

16
17 Dated: November 27, 2024

JUSTICE LAW CORPORATION

18 
19 _____

Douglas Han, Esq.
Shunt Tatavos-Gharajeh, Esq.
William Wilkinson, Esq.
Attorneys for Plaintiffs

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21
22
23 Dated: _____

POLSINELLI LLP

24
25 _____
26 Lindsay Ryan, Esq.
Justin Peters, Esq.
Attorneys for Defendant

1 of the PAGA Released Claims which occurred only during the PAGA Period and during such
2 time that the Eligible Aggrieved Employee was classified as hourly-paid and/or non-exempt.

3
4 Dated: _____ **THUY-TRUC TRAN**

5
6 _____
7 Dated: _____ **EMILY LAUBER**

8
9 _____
10 Dated: 12/2/2024 **BYRAM HEALTHCARE CENTERS, INC.**

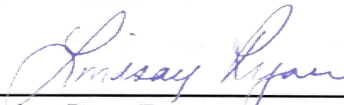
11
12 
13 Name: MICHELLE KNOWLES
14 Title: WORK. SECT. / G.C.

15 **APPROVED AS TO FORM**

16
17 Dated: _____ **JUSTICE LAW CORPORATION**

18
19 _____
20 Douglas Han, Esq.
21 Shunt Tatavos-Gharajeh, Esq.
22 William Wilkinson, Esq.
23 *Attorneys for Plaintiffs*

24 Dated: December 2, 2024 **POLSINELLI LLP**

25 
26 Lindsay Ryan, Esq.
27 Justin Peters, Esq.
28 *Attorneys for Defendant*

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PROOF OF SERVICE
1013A(3) CCP

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

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

On December 9, 2024, I served the foregoing document described as

**SECOND AMENDMENT TO THE JOINT STIPULATION OF CLASS ACTION AND
PAGA SETTLEMENT**

for the following case: **Tran et al. v. Byram Healthcare Centers, Inc.**
LWDA/Court Case No.: **LWDA Case No.: LWDA-CM- 924625-22**
Court Case No.: 30-2023-01309069-CU-OE-CXC
Orange County Superior Court

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

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

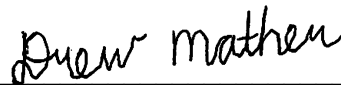
[X] BY ELECTRONIC SUBMISSION

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

[X] STATE

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

Executed on December 9, 2024, at Pasadena, California.



Drew Mather