

1 Adam Rose (210880)
adam@frontierlawcenter.com
2 Manny Starr (319778)
manny@frontierlawcenter.com
3 FRONTIER LAW CENTER
23901 Calabasas Road, #2074
4 Calabasas, CA 91302
Telephone: (818) 914-3433/ Fax: (818) 914-3433

5 Janelle Carney (201570)
6 Janelle@JanelleCarneyLaw.com
JANELLE CARNEY – ATTORNEY AT LAW, APC
7 14758 Pipeline Ave., Suite E
Chino Hills, CA 91709
8 Telephone: (909) 521-9609/ Fax: (909) 393-0471

9 Attorneys for Plaintiff Emma Jean Elwood

10
11 SUPERIOR COURT OF CALIFORNIA
12 COUNTY OF ALAMEDA
13

14 EMMA JEAN ELWOOD, individually and on)
behalf of all aggrieved employees,)

15 Plaintiffs,)

16 v.)

17 ALL AMERICAN HEALTHCARE)
18 SERVICES, INC., ALAMEDA)
HEALTHCARE & WELLNESS CENTER,)
19 LLC a California limited liability company)
20 DBA ALAMEDA HEALTHCARE AND)
WELLNESS CENTER and DOES 1 to 100,)

21 Defendants.)

Case No. 23CV028398

Hon. Julia Spain

Dept. 520

CLASS ACTION

NOTICE OF ENTRY OF ORDER

GRANTING MOTION FOR COURT

APPROVAL OF PAGA SETTLEMENT

AND ENTERING JUDGMENT

Date: October 11, 2024

Time: 2:00 p.m.

Dept. 520

Reservation No.: A-28398-001

Action filed: February 27, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TO ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 14, 2024, the Honorable Julia Spain entered the Order Granting Motion for Court Approval of PAGA Settlement and Entering Judgment. A true and correct copy of the Order is attached hereto as **Exhibit 1**.

Dated: October 14, 2024

FRONTIER LAW CENTER
JANELLE CARNEY – ATTORNEY AT LAW, APC

By:

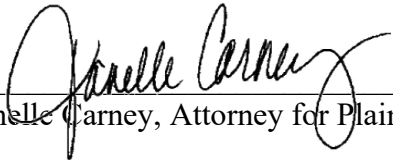

Janelle Carney, Attorney for Plaintiff

Exhibit 1

10/14/2024

Ciad Fluke, Executive Officer/Clerk of the Court

By: Daniel Labrecque Deputy
D. Labrecque

1 Adam Rose (210880)
adam@frontierlawcenter.com
2 Manny Starr (319778)
manny@frontierlawcenter.com
3 FRONTIER LAW CENTER
23901 Calabasas Road, #2074
4 Calabasas, CA 91302
Telephone: (818) 914-3433/ Fax: (818) 914-3433
5
6 Janelle Carney (201570)
Janelle@JanelleCarneyLaw.com
JANELLE CARNEY – ATTORNEY AT LAW, APC
7 14758 Pipeline Ave., Suite E
Chino Hills, CA 91709
8 Telephone: (909) 521-9609/ Fax: (909) 393-0471
9 Attorneys for Plaintiff Emma Jean Elwood

10
11 SUPERIOR COURT OF CALIFORNIA
12 COUNTY OF ALAMEDA
13

14 EMMA JEAN ELWOOD, individually and on)
behalf of all aggrieved employees,)

15 Plaintiffs,)

16 v.)

17 ALL AMERICAN HEALTHCARE)
18 SERVICES, INC., ALAMEDA)
HEALTHCARE & WELLNESS CENTER,)
19 LLC a California limited liability company)
20 DBA ALAMEDA HEALTHCARE AND)
WELLNESS CENTER and DOES 1 to 100,)

21 Defendants.)

Case No. 23CV028398

Hon. Julia Spain

Dept. 520

CLASS ACTION

**~~[PROPOSED]~~ ORDER GRANTING
PLAINTIFF'S MOTION FOR COURT
APPROVAL OF PAGA SETTLEMENT
AND ENTERING JUDGMENT**

Date: October 11, 2024

Time: 2:00 p.m.

Dept.: 520

Reservation No. A-28398-001

Action filed: February 27, 2023

22
23
24
25
26
27
28
**[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR COURT APPROVAL
OF PAGA SETTLEMENT**

[PROPOSED] ORDER AND JUDGMENT

This matter came on for hearing before the Honorable Julia Spain, Dept. 520, on October 11, 2024, at 2:00 p.m., in the Alameda County Superior Court, Hayward Hall of Justice, located at 24405 Amador St., Hayward, CA 94544, Plaintiff, Emma Jean Elwood, (“Plaintiff”) Motion for Court Approval of PAGA Settlement, and for Attorneys’ Fees and Costs, and Administrative Fees (“PAGA Approval Motion”). The Court, having considered the papers filed in support of the motion; arguments of counsel; and all files, records, and other matters properly before the Court, hereby determines as follows:

(A) Pursuant to Labor Code § 2699(1)(2), the Court approves the Settlement Agreement executed by Plaintiff and Defendants and filed with this Court, which is incorporated herein by this reference as though set forth in full, including the settlement administration and release of claims. All defined terms contained herein shall have the same meanings as set forth in the Settlement Agreement.

(B) The settlement was entered into in good faith, and the terms of the settlement are fair, reasonable and adequate and comply with the requirements of Labor Code § 2699, after considering the maximum potential recovery, the merits of Plaintiff’s claims, and the means by which the parties arrived at the settlement;

(C) The Court finds that the Labor & Workforce Development Agency (“LWDA”) has been given timely and proper notice of the Settlement Agreement pursuant to the Labor Code Private Attorneys General Act (“PAGA”).

(D) The fees requested by Plaintiff’s counsel are reasonable given: (a) the hours worked by Plaintiff’s counsel; (b) the results achieved; (c) the risks of litigation; (d) the skill required and the quality of work; and (e) the contingent nature of the fee.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

(1) Plaintiff’s PAGA Approval Motion is **GRANTED**.

1 (2) The Court approves the allocation and settlement of penalties under the Private
2 Attorney General Act ("PAGA") in this matter in the total amount of Twenty-Two Thousand Two
3 Hundred and Ninety Dollars (\$22,290.00) ("PAGA Payment"). In accordance with the Settlement
4 Agreement, Plaintiff's counsel is awarded attorney's fees in the amount of \$6,180.00 and litigation
5 costs in the amount of \$3,000.00. Additionally, the settlement administration expenses are awarded
6 in the amount of \$3,450.00.

7 (3) The Net Distribution Amount of the settlement is \$5,910.00, with \$4,432.500
8 payable to the California Labor and Workforce Development Agency (LWDA) for its share of
9 PAGA penalties (75%), and \$1,447.50.00, payable to the Aggrieved Employees (25%).

10 (4) As of the date of this order, all Aggrieved Employees, including Plaintiff, are deemed
11 to release, on behalf of themselves and their respective former and present representatives, agents,
12 attorneys, heirs, administrators, successors and assigns, the Released Parties from all claims for
13 PAGA penalties that were alleged, or reasonably could have been alleged, based on the PAGA
14 Period facts stated in the Operative Complaint, and the PAGA Notice.

15 (5) Plaintiff shall provide Notice of this Order to the LWDA within 10 calendar days
16 after its entry.

17 (6) Judgment is entered into pursuant to the terms of the Settlement Agreement and this
18 Order, with the Court retaining jurisdiction to enforce its terms pursuant to California Code of Civil
19 Procedure section 664.6. Other than as expressly provided in the Settlement Agreement, both Parties
20 shall bear their own costs and fees.

21 (7) Nothing in this Order or the Settlement shall be construed as an admission or
22 concession by any party. The Settlement and this resulting Order and entry of judgement simply
23 represent a compromise of disputed allegations.

24
25
26 Date: 10/14/2024


Honorable Julia Spain
Judge of the Superior Court
Julia Spain / Judge

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of eighteen (18) and not a party to the within action; my business address is 14758 Pipeline Avenue, Suite E, Second Floor, Chino Hills, CA 91709-6025.

On October 14, 2024, I served the foregoing document described as:

NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFF'S MOTION FOR COURT APPROVAL OF PAGA SETTLEMENT AND ENTERING JUDGMENT

on INTERESTED PARTIES in this action as stated below:

Counsel for Defendant, All American Healthcare Services, Inc.

ROBERT LOCKWOOD
rlockwood@littler.com
BENJAMIN HART
bhart@littler.com
LITTLER MENDELSON, P.C.
101 Second Street, Suite 1000
San Francisco, California 94105

Counsel for Defendant, Alameda Healthcare & Wellness Center, LLC

SEYFARTH SHAW LLP
Elizabeth Levy
Jeffrey A. Nordlander
400 Capitol Mall, Suite 2350
Sacramento, California 95814-4428
elevy@seyfarth.com
jnordlander@seyfarth.com
lbovee@seyfarth.com

Counsel for Plaintiff

Adam Rose
adam@frontierlawcenter.com
Manny Starr
manny@frontierlawcenter.com
eservice@frontierlawcenter.com
FRONTIER LAW CENTER
23901 Calabasas Road, #2074
Calabasas, CA 91302

Theodore Bacon
tbacon@fbtlaw.com
FROST BROWN TODD, LLP
235 Pine Street, Suite 1150
San Francisco, CA 94101

XX BY E-MAIL : I served the above-mentioned document by serving electronically to each of the above recipients at their respective e-mail addresses and simultaneously sending for electronic filing. My e-address is: Jerin@JanelleCarneyLaw.com.

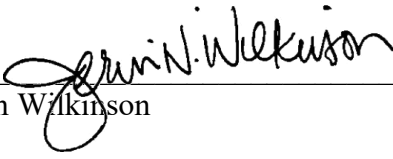
California Labor & Workforce Development Agency

Via Online Filing

<http://www.dir.ca.gov/private-attorneys-general-act/private-attorneys-general-act.html>

Executed on October 14, 2024 at Chino Hills, California.

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



Jerin Wilkinson