

D.LAW, INC.
Emil Davtyan (SBN 299363)
Emil@d.law
Alvin B. Lindsay (SBN 220236)
a.lindsay@d.law
Enoch J. Kim (SBN 261146)
e.kim@d.law
Melissa Rodriguez (SBN 352716)
m.rodriguez@d.law
450 N. Brand Blvd. Suite 840
Glendale, CA 91203
Telephone: (818) 962-6465
Fax: (818) 962-6469

DAVID YEREMIAN & ASSOCIATES, INC.
David Yeremian (SBN 226337)
d.yeremian@d.law
450 N. Brand Blvd. Suite 840
Glendale, CA 91203
Telephone: (818) 962-6465
Fax: (818) 962-6469

Attorneys for Plaintiff MARK A. FLETCHER,
an individual on behalf of himself and others similarly situated

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

MARK A. FLETCHER, an individual, on
behalf of himself and others similarly situated,

Plaintiff,

vs.

HEBREW HOME FOR AGED DISABLED,
a California nonprofit corporation; SAN
FRANCISCO CAMPUS FOR JEWISH
LIVING, a California entity form unknown;
JEWISH HOME AND SENIOR LIVING
FOUNDATION, a California nonprofit
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: CGC-23-603795

CLASS ACTION

Assigned for All Purposes To:
Honorable Jeffrey S. Ross
Department 606

**NOTICE OF MOTION AND PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF THE PARTIES' JOINT
STIPULATION OF CLASS AND PAGA
SETTLEMENT AGREEMENT**

Date: April 18, 2025
Time: 9:30 a.m.
Location: Department 606

Original Complaint Filed: January 4, 2023
First Amended Complaint Filed: March 9, 2023
Trial Date: None Set

1 **TO THE COURT, DEFENDANTS, AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on April 18, 2025, at 9:30 a.m. in Department 606 of the
3 San Francisco Superior Court located at 400 McAllister Street. San Francisco, CA 94102-4514,
4 Mark A. Fletcher (“Plaintiff”), on behalf of himself and other similarly situated employees of
5 Defendants Hebrew Home for Aged Disabled, San Francisco Campus for Jewish Living, and
6 Jewish Home and Senior Living Foundation (“Defendants”) (collectively, “the Parties”), will and
7 hereby does move this Court pursuant to California Code of Civil Procedure § 382 and California
8 Rule of Court 3.769 for an order as proposed:

9 1. Preliminarily approving the proposed class-wide settlement of this action as set
10 forth in the Parties’ Joint Stipulation of Class and PAGA Action Settlement Agreement
11 (“Settlement Agreement”), which is attached as Exhibit A to the Declaration of Enoch J. Kim
12 (“Kim Decl.”), filed herewith;

13 2. Approving the form and method for providing notice to the Class Members and
14 approving the form and content of the Parties’ proposed Notice of Class and PAGA Action
15 Settlement (“Class Notice”) for sending to the Class Members (provided as Exhibit 1 to the
16 Settlement Agreement (which is attached as Exhibit A to the Declaration of Enoch J. Kim));

17 3. Approving for mailing the Class Notice packet, consisting of the Court approved
18 Class Notice and directing that it be sent to the Class Members;

19 4. Appointing Plaintiff Mark A. Fletcher as a class representative for settlement
20 purposes only;

21 5. Appointing Emil Davtyan, Alvin B. Lindsay, Enoch J. Kim, and Melissa Rodriguez
22 of D.Law, Inc. and David Yeremian of David Yeremian & Associates, Inc. as Class Counsel for
23 settlement purposes only;

24 6. Scheduling a final approval hearing date to consider the Parties’ request for final
25 approval of the proposed Settlement and Plaintiff’s application for a Class Counsel Award,
26 consisting of attorneys’ fees to Class Counsel and litigation costs incurred in pursuing this Action;

27 7. Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the
28 proposed settlement’s allocation of funds to claims made under Labor Code §§ 2698, *et seq.*, the

1 Private Attorneys General Act of 2004 (“PAGA”).

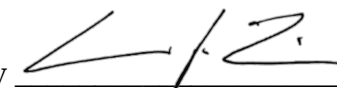
2 This Motion is made on the grounds that after good-faith, arm’s length negotiations, the
3 Parties have agreed upon a Settlement which is fair, reasonable, and adequate and in the best
4 interests of the Class and all Parties. Defendants do not oppose the Motion. This Notice of Motion
5 and Motion is also based on the fact that this Settlement was the product of informed, non-
6 collusive negotiations by the Parties, who were represented by experienced and able counsel. *See*
7 *Dunk v. Ford Motor Co.* (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation
8 (Second) (1985) § 30.44. The proposed Settlement meets the legal standard for preliminary
9 approval and is in the best interests of the Class; the proposed form of Class Notice explains the
10 Settlement terms in a clear and straightforward manner; the proposed procedures for notice
11 provide the best practical notice to the Class; and Class Members will have an opportunity to
12 participate in and/or object to the Settlement and/or opt-out of the Settlement.

13 This Motion is based upon this Notice of Motion, the accompanying Memorandum of
14 Points and Authorities, the Declarations of Class Counsel David Yeremian and Enoch J. Kim, and
15 the Declaration of Plaintiff Mark A. Fletcher, the [Proposed] Order granting Plaintiff’s Motion for
16 Preliminary Approval of the Parties’ Joint Stipulation of Class and PAGA Action Settlement
17 Agreement, the Parties’ Settlement Agreement and Class Notice, the Court’s record of this action,
18 all matters of which the Court may take notice, and upon such oral or documentary evidence as the
19 Court may receive at or before the hearing on this unopposed Motion.

20
21 DATED: March 26, 2025

D.LAW, INC.
DAVID YEREMIAN & ASSOCIATES, INC.

22
23 By



24 David Yeremian
25 Alvin B. Lindsay
26 Enoch J. Kim
27 Melissa Rodriguez
28 Attorneys for Plaintiff and Settlement Class