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Attorneys for Plaintiffs SUZANNE M. RYAN and RUTH ELKINS,
individually and on behalf of others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SACRAMENTO

SUZANNE M. RYAN, individually and on
behalf of herself and others similarly
situated,

Plaintiff,

vs.

DIGNITY HEALTH, a California
corporation, and DOES 1 through 100,
inclusive,

Defendants.

RUTH ELKINS, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

DIGNITY HEALTH, a California
corporation, and DOES 1 through 100,
inclusive,

Defendants.

Lead Case No. 34-2013-00147371-CU-OE-GDS

CLASS ACTION

**NOTICE OF MOTION AND MOTION FOR
ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

UNOPPOSED MOTION

Date: August 17, 2017
Time: 1:30 p.m.
Dept: 35
Judge: Honorable Alan G. Perkins

Complaint Filed: June 27, 2013
Trial Date: None set

Complaint Filed: April 3, 2014
Trial date: None set

1 PLEASE TAKE NOTICE that on August 17, 2017 at 1:30 p.m., or as soon as the matter
2 may be heard in Department 35 of the above-entitled Court, located at 720 9th Street, Sacramento,
3 California 95814, pursuant to California Rules of Court 3.769, Plaintiffs SUZANNE RYAN AND
4 RUTH ELKINS (“Plaintiffs”), on behalf of themselves and all others similarly situated, will and
5 do hereby move this Court for an Order:

6 1) Granting Preliminary Approval of the Class Action Settlement set forth more
7 particularly in the Stipulation and Settlement of Class Action Claims (“Agreement”) attached as
8 Exhibit “1” to the Declaration of Isam C. Khoury, filed concurrently with this motion;

9 2) Approving the Notice of Class Action Settlement and Notice of Change of Address
10 Form, attached as Exhibits “A” and “B” to the Agreement to be sent to the Class advising them of
11 the pendency of Class Action, the proposed Settlement, the manner and procedure for receiving
12 individual settlement payments, requests for exclusion and objections to the Settlement, and of the
13 final fairness determination hearing;

14 3) Conditionally certifying the above-captioned cases as a class action for settlement
15 purposes only; and

16 4) Setting a fairness hearing to consider final approval of the Settlement.

17 This motion is made on the grounds that the Parties have reached a proposed settlement
18 which they believe to be fair, reasonable and adequate and in the best interests of the Settlement
19 Class and all Parties. This motion is brought pursuant to Rule of Court 3.769(c), because the
20 Parties have reached a tentative settlement, dependent upon approval of this Court, as more
21 particularly set forth in the Agreement.

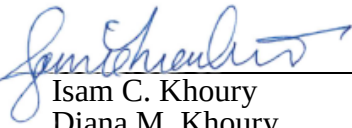
22 This motion is based on this Notice of Motion, the Memorandum of Points and Authorities
23 in Support thereof, the supporting Declarations of Isam C. Khoury, Suzanne Ryan, and Ruth
24 Elkins, the Agreement, and the [Proposed] Order Granting Preliminary Approval of the Class
25 Action Settlement, filed and served herewith, the Court’s files in this matter, and any other
26 documents or evidence which the Court may consider at the hearing of this motion.

27 Pursuant to Local Rule 1.06 (A), the court will make a tentative ruling on the merits of this
28 matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative rulings for

1 the department may be downloaded off the court's website. If a party does not have online access,
2 that party may call the dedicated phone number for the department as referenced in the local
3 telephone directory between the hours of 2:00 p.m. and 4:00 p.m. on the court day before the
4 hearing and receive the tentative ruling. **If you do not call the court and the opposing party by**
5 **4:00 p.m. the court day before the hearing, no hearing will be held.**

6
7 Dated: July 26, 2017

COHELAN KHOURY & SINGER

8
9 By: 

Isam C. Khoury

Diana M. Khoury

Janine R. Menhennet

Attorneys for Plaintiffs SUZANNE M. RYAN and
RUTH ELKINS, individually and on behalf of others
similarly situated