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Superior Court of California,
County of El Dorado
06/02/2025 at 02:52:06 PM
By: Sara Platt, Deputy Clerk

Attorneys for Plaintiff CHRISTINE RICH,
on behalf of herself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF EL DORADO**

CHRISTINE RICH, on behalf of herself and
others similarly situated,

Plaintiff,

vs.

GLADIOLUS HOLDINGS, LLC dba THE
PINES AT PLACERVILLE HEALTHCARE;
and DOES 1 to 100, inclusive,

Defendant.

Case No.: 23CV0396

CLASS ACTION

~~[Assigned for All Purposes to the Hon. Judge
Friel, Dept. 10]~~

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

*[Filed concurrently with Notice of Motion and
Motion for Preliminary Approval of Class Action
Settlement; Declaration of James Clark in
Support Thereof]*

The Motion for Preliminary Approval of Class Action Settlement came before this Court in Department 10 of El Dorado County Superior Court located at 3321 Cameron Park Branch, Cameron Park, CA 95682. The Court, having considered the proposed Class Action and PAGA Settlement Agreement and Class Notice entered into by and between Plaintiff Christine Rich ("Plaintiff") and Defendant Gladiolus Holdings dba The Pines at Placerville Healthcare ("Defendant" or "Gladiolus") attached as **Exhibit 1** to the Declaration of James Clark in Support of

~~[PROPOSED] ORDER~~

ELECTRONICALLY RECEIVED
Superior Court of California,
County of El Dorado
04/02/2025 at 02:43:47 PM
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1 Plaintiff's Motion for Preliminary Approval of Class Action Settlement, and the Exhibits attached
2 thereto (hereafter collectively, the "Settlement" or "Settlement Agreement"); having considered the
3 Motion for Preliminary Approval of Class Action Settlement filed by the parties; having considered
4 the respective points and authorities and declarations submitted by the parties in support thereof;
5 and good cause appearing, HEREBY ORDERS THE FOLLOWING:

6 The Court grants preliminary approval of the settlement as set forth in the Settlement and
7 finds the terms to be within the range of reasonableness of a settlement that ultimately could be
8 granted approval by the Court at the Final Fairness Hearing. For purposes of the Settlement, the
9 Court finds that the proposed Settlement Class is ascertainable and that there is a sufficiently well-
10 defined community of interest among the Class in questions of law and fact. Therefore, for
11 settlement purposes only, the Court grants conditional certification of the following "Class" defined
12 as follows:

13 A person employed by Defendant in California and classified as an hourly, non-exempt
14 employee who worked for Defendant during the Class Period and who did not sign an
15 arbitration agreement with Defendant.

16 1. The "Class Period" is the period from March 23, 2019, through January 9, 2024.

17 2. For purposes of settlement, the Court further designates named Plaintiff Christine
18 Rich as Class Representative, and Joseph Lavi, Esq., Vincent C. Granberry, Esq., Eve Howe, Esq.,
19 James Clark, Esq., and Malcolm E. Clayton, Esq. of Lavi & Ebrahimian, LLP, as Class Counsel.

20 3. The Court appoints Phoenix Class Action Administration Solutions as the Settlement
21 Administrator.

22 4. A final fairness hearing on the question of whether the proposed settlement should
23 be finally approved as fair, reasonable and adequate as to the members of the Class is scheduled in
24 Department ⁹10 of this Court, located at 3321 Cameron Park Branch, Cameron Park, CA 95682, on
25 November 14, 2025, at 8:35 a.m. ~~7 p.m.~~

26 5. At the final fairness hearing, the Court will consider: (a) whether the settlement
27 should be approved as fair, reasonable, and adequate for the class; (b) whether a judgment granting
28 approval of the settlement should be entered; and (c) whether Plaintiff's application for an award of

1 Class Counsel Fees, Class Counsel Expenses, and Class Representative Service Payment should be
2 granted.

3 6. Counsel for the parties shall file memoranda, declarations, or other statements and
4 materials in support of their request for final approval by no later than 16 court days prior to the
5 final fairness hearing.

6 7. Class Counsel shall file a motion for an award of Class Counsel Fees, Class
7 Counsel Expenses, and Class Representative Service Payment by no later than 16 court days prior
8 to the final fairness hearing.

9 8. The Court approves, as to form and content, the Class Notice which is attached to
10 the Settlement as **Exhibit A.**

11 9. No later than fifteen (15) calendar days following the date the Court enters this
12 order, Defendant shall provide the following information to the Settlement Administrator: Class
13 Member identifying information in Defendant's possession including the Class Member's name,
14 last-known mailing address, Social Security number, and number of Class Period Workweeks and
15 PAGA Pay Periods ("Class Data").

16 10. No later than fourteen (14) calendar days after receiving the Class Data, the
17 Settlement Administrator shall disseminate the Class Notice to all the Class Members identified in
18 the Class Data by first-class U.S. Mail.

19 11. Class Members shall have sixty (60) calendar days from the date the Settlement
20 Administrator mails Notice to the Class Members to fax, email, or mail Requests for Exclusion
21 from the Settlement or fax, email, or mail an Objection to the Settlement ("Response Deadline").
22 Class Members to whom Notice Packets are resent after having been returned undeliverable to the
23 Administrator shall have an additional fourteen (14) calendar days beyond the Response Deadline
24 has expired.

25 12. The Court finds that the forms of Class Notice to the Class regarding the pendency
26 of the action and of this settlement, and the methods of giving notice to members of the
27 Settlement Class constitute the best notice practicable under the circumstances and constitute
28 valid, due, and sufficient notice to all members of the Class. They comply fully with the

requirements of California Code of Civil Procedure section 382, California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other applicable law.

13. The Court further approves the procedures for Class Members to participate in, opt out of, or object to the Settlement, as set forth in the Settlement Agreement and Class Notice.

14. Class Members who wish to exclude themselves (opt-out of) the Class Settlement must send the Administrator, by fax, email, or mail, a signed written Request for Exclusion not later than 60 days after the Administrator mails the Class Notice (plus an additional 14 days for Class Members whose Class Notice is re-mailed). A Request for Exclusion is a letter from a Class Member or his/her representative that reasonably communicates the Class Member's election to be excluded from the Settlement and includes the Class Member's name, address and email address or telephone number. To be valid, a Request for Exclusion must be timely faxed, emailed, or postmarked by the Response Deadline.

15. Participating Class Members may send written objections to the Administrator, by fax, email, or mail. In the alternative, Participating Class Members may appear in Court (or hire an attorney to appear in Court) to present verbal objections at the Final Approval Hearing. A Participating Class Member who elects to send a written objection to the Administrator must do so not later than 60 days after the Administrator's mailing of the Class Notice (plus an additional 14 days for Class Members whose Class Notice was re-mailed).

16. Pending the Fairness Hearing, all proceedings in this action, other than proceedings necessary to carry out or enforce the terms and conditions of the Settlement Agreement and this Order, are stayed.

17. Counsel for the parties are hereby authorized to utilize all reasonable procedures in connection with the administration of the settlement which are not materially inconsistent with either this Order or the terms of the Settlement.

18. The Court orders the following Implementation Schedule for further proceedings:

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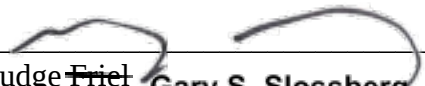
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Event	Timing
Class Data: Last day for Defendant to provide the Settlement Administrator the Class Database	15 calendar days after the Court's entry of this Order
Notice Date: last day for Administrator to mail Class Notice to Class Members.	14 calendar days after receipt of the Class Data
Response Deadline: (i) last day for Settlement Class Members to submit Requests for Exclusion; (ii) last day for class members to submit Objections	60 calendar days after the date of mailing of the Class Notice
Last day for class counsel to file motion for award of attorneys' fees, reimbursement of litigation expenses and class representative enhancement.	16 calendar days prior to the final fairness hearing
Last day for parties to file motion and supporting documents for final approval of class action settlement.	16 calendar days prior to the final fairness hearing
Last day for the Parties to respond to Objections	10 calendar days prior to the final fairness hearing
Hearing on final approval of class action settlement.	

19. The Fairness Hearing and related prior deadlines set forth above may, from time to time and without further notice to the Class (except those who have filed timely and valid objections), be continued or adjourned by Order of the Court.

IT IS SO ORDERED.

Dated: 06/02/2025


Hon. Judge Friel **Gary S. Slossberg**
Judge of the Superior Court