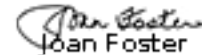


FILED

07/29/2026

K. Bieker
Executive Officer and Clerk
Joan Foster

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

CYNTHIA GILBERT, an individual, on behalf
of herself and all others similarly situated,

Plaintiff,

vs.

OPTION CARE ENTERPRISES, INC., a
Delaware corporation; and DOES 1 through 20,
inclusive,

Defendants.

CASE NO.: 2023-CU-OE-012240

CLASS ACTION

~~PROPOSED~~

**ORDER GRANTING FINAL APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT AND FINAL JUDGMENT**

Hearing Held:

July 29, 2026, 1:30 p.m.

Dept. 44

Action filed: August 1, 2023

This matter came before the Court for hearing on July 29, 2026 at 1:30 p.m. in Department 44 of the above-captioned Court, pursuant to the Court's Preliminary Approval Order, on Plaintiff's Motion for Final Approval of the class action and PAGA settlement, and related requests for attorneys' fees and costs, a class representative service award, and settlement administration costs.

BACKGROUND

WHEREAS, Plaintiff Cynthia Gilbert and Defendant Option Care Enterprises, Inc. entered into the Joint Stipulation for Class and PAGA Representative Action Settlement and Release (the "Settlement" or "Settlement Agreement");

1 WHEREAS, the Court granted preliminary approval of the Settlement, conditionally certified the
2 Settlement Class, approved the form and manner of notice, appointed Plaintiff as Class Representative,
3 appointed Palay Hefelfinger, APC and its attorneys Daniel J. Palay and Brian D. Hefelfinger as Class
4 Counsel, and appointed CPT Group, Inc., as Settlement Administrator;

5 WHEREAS, all defined terms contained herein have the same meanings as set forth in the
6 Settlement Agreement and the Preliminary Approval Order;

7 WHEREAS, the Court has considered the Settlement Agreement, the Preliminary Approval
8 Order, Plaintiff's final approval papers, the motion for attorneys' fees and costs, the declarations of
9 Cynthia Gilbert, Brian D. Hefelfinger, and CPT Group, Inc., the proof of LWDA submissions, all papers
10 on file, and any argument presented at the final approval hearing;

11 WHEREAS, due and adequate notice has been given to the Settlement Class in conformity with
12 the Preliminary Approval Order and due process; and

13 WHEREAS, the Court is satisfied that the Settlement was reached through good-faith, arm's-
14 length negotiations between experienced counsel after substantial investigation, discovery, motion
15 practice, class outreach, and mediation;

16 **IT IS HEREBY ORDERED, ADJUDGED, AND DECLARED as follows:**

17
18 **ORDER AND JUDGMENT**

19 1. This Court has jurisdiction over the subject matter of this Action and over all Parties and
20 Settlement Class Members.

21 2. The Court confirms final certification as reflected in the court minutes and for settlement
22 purposes only, of the Settlement Class defined as:

23 All persons who worked for any Defendant in California as an hourly, non-exempt
24 employee in the position of nurse, pharmacist, or pharmacy technician, at any time
during the period of September 6, 2020, through December 27, 2025.

25 3. The Court confirms appointment of Plaintiff Cynthia Gilbert as the Class Representative
26 herein, and Daniel J. Palay and Brian D. Hefelfinger, of Palay Hefelfinger, APC, as Class Counsel for
27 settlement purposes.

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1 4. The Court finds that the Notice given to the Settlement Class, including mailing by CPT
2 Group, Inc., and the re-mailing/skip-tracing efforts, was completed in conformity with the Preliminary
3 Approval Order and was the best notice practicable under the circumstances.

4 5. The Court finds that the Notice satisfied the requirements of California law, Rule 3.769
5 of the California Rules of Court, and due process, and was reasonably calculated to apprise interested
6 persons of the pendency of the Action, the terms of the Settlement, their right to object or request
7 exclusion, and the date and location of the Final Approval Hearing.

8 6. The Court finds that no objections and no requests for exclusion were received.

9 7. The Court finds that the Settlement, including the Gross Settlement Amount of
10 \$3,625,000.00 is fair, reasonable, adequate, and in the best interests of the Settlement Class and
11 Aggrieved Employees. The Settlement is hereby finally approved.

12 8. The Court approves the Settlement Agreement and directs the Parties and CPT Group,
13 Inc. to effectuate the Settlement according to its terms and this Order.

14 9. The Court approves the PAGA allocation of \$300,000.00, with \$225,000.00 payable to
15 the LWDA and \$75,000.00 payable to Aggrieved Employees as Individual PAGA Payments. The Court
16 finds that the PAGA settlement is fair, reasonable, and adequate in view of the purposes and policies of
17 PAGA.

18 10. The Court approves attorneys' fees to Class Counsel in the amount of \$1,196,250.00, to
19 be paid from the Gross Settlement Amount.

20 11. The Court approves reimbursement of litigation costs to Class Counsel in the amount of
21 \$15,760.78, to be paid from the Gross Settlement Amount.

22 12. The Court approves a class representative service award to Plaintiff Cynthia Gilbert in the
23 amount of \$25,000.00, to be paid from the Gross Settlement Amount.

24 13. The Court approves settlement administration costs to CPT Group, Inc. in the amount of
25 \$11,000.00, to be paid from the Gross Settlement Amount.

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1 14. The Court finds that Class Counsel have substantiated the required LWDA submissions
2 in connection with the PAGA claim and settlement approval process.

3 15. The Court approves the following procedure for uncashed checks and residual funds: In
4 light of the exceptionally high contact rate of class members and the resolution of “undeliverable”
5 mailings via the manual efforts of Class Counsel and the Administrator, it is unlikely that any second
6 distribution would be economically feasible and further it is anticipated that any uncashed check amounts
7 will be *de minimis* in the aggregate, such that unclaimed funds shall be deposited with the State Controller
8 under the Unclaimed Property Law in accordance with the Settlement terms.

9 16. Upon the Effective Date and funding of the Settlement, Participating Class Members and
10 Aggrieved Employees shall be bound by the releases set forth in the Settlement Agreement and this
11 Judgment.

12 17. Neither this Order, the Settlement, nor any act performed or document executed pursuant
13 to the Settlement is or may be deemed an admission of liability or wrongdoing by Defendant or the
14 Released Parties.

15 18. The Court retains jurisdiction over the Parties, the Settlement Class, Aggrieved
16 Employees, and the Settlement Administrator for purposes of enforcing, administering, and interpreting
17 the Settlement Agreement and this Order and Judgment, including pursuant to Code of Civil Procedure
18 § 664.6. This Judgment resolves the Action; the Court does not enter a separate dismissal at this time.

19 19. Final Judgment is hereby entered in accordance with the terms of the Settlement
20 Agreement and this Order.

21 20. The Court further finds that the final approval record addresses the issues identified in the
22 Court's preliminary approval ruling, including the reaction of the Settlement Class, the range of expected
23 payments, the allocation methodology among nurses, pharmacists, and pharmacy technicians, LWDA
24 compliance, the scope of the release, the treatment of uncashed checks, and the support for attorneys'
25 fees, costs, service award, and administration costs.

26 21. The Court finds that the Settlement Class is ascertainable and sufficiently numerous, that
27 common questions predominate for settlement purposes, that Plaintiff Cynthia Gilbert's claims and
28 interests are sufficiently typical and adequate for settlement purposes, and that certification for settlement

1 purposes provides substantial benefits to the litigants and the Court. The Court further finds that the
2 differentiated allocation of Effective Settlement Workweeks among job groups and regions is fair and
3 reasonable in light of the evidence and damages analysis presented, and as reflected by the reaction of
4 the class members themselves (*i.e.* there having been zero opt-outs or objections to the Settlement).

5 22. The Court finds that the release is appropriately tethered to the claims, facts, and legal
6 theories alleged in the operative pleadings and LWDA notices. Absent Class Members do not provide a
7 general Civil Code section 1542 release. Plaintiff Cynthia Gilbert's broader individual release is
8 supported by the separate service award approved herein.

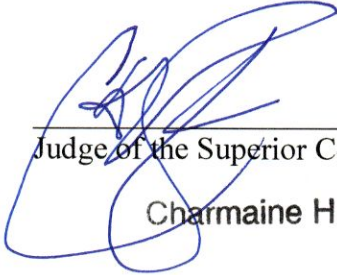
9 23. The Court finds that the PAGA settlement is fair and reasonable, that the LWDA was
10 provided with the required submissions, and orders that Class Counsel shall submit a copy of this
11 Judgment and any order providing for civil penalties to the LWDA within 10 days after entry.

12 24. The Court orders that funds from uncashed checks remaining after any economically
13 reasonable efforts at contacting Class Members by the Administrator shall be transmitted to the California
14 State Controller's Unclaimed Property Fund in the names of the Class Members or Aggrieved Employees
15 entitled to those funds. No portion of the Gross Settlement Amount shall revert to Defendant.

16 25. A compliance hearing is set for January 6, 2027, at 1:30 p.m. in Department 44. At least
17 10 days before the compliance hearing, Plaintiff shall file a declaration (*i.e.* from the Administrator)
18 regarding completion of distribution, including payments issued, cashed, uncashed, re-issued (if any),
19 and transmitted to the State Controller, and paid to the LWDA. If the declaration satisfies the Court, no
20 appearance shall be required at the compliance hearing.

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22 **IT IS SO ORDERED.**

23
24 DATED: 7/29/26

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Judge of the Superior Court

26 Charmaine H. Buehner
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