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Clerk of the Superior Court
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Nicholas J. Ferraro (State Bar No. 306528)
Lauren N. Vega (State Bar No. 306525)
Dorota A. James (State Bar No. 309933)
Ferraro Vega Employment Lawyers, Inc.
3333 Camino del Rio South, Suite 300
San Diego, California 92108
(619) 693-7727 main / (619) 350-6855 facsimile
nick@ferrarovega.com / lauren@ferrarovega.com /
dorota@ferrarovega.com

*Attorneys for Plaintiffs Darby Churchill and
Dometrives Armstrong*

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

DARBY CHURCHILL and DOMETRIVES
ARMSTRONG, individually and on behalf
of all other similarly situated and the State of
California under the Private Attorneys
General
Act,

Plaintiffs,

v.

INTERIM HEALTHCARE SAN DIEGO,
LLC; INTERIM HEALTHCARE, INC.; and
DOES 1 through 50, inclusive,

Defendants.

Case No. 37-2023-00032762-CU-OE-CTL

*Hon. Evan P. Kirvin
Dept. 69*

CLASS ACTION

**NOTICE OF ENTRY OF ORDER
GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND
ATTORNEYS' FEES AND COSTS AND
ENTERING JUDGMENT**

Action Filed: August 1, 2023

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE
2 TAKE NOTICE THAT:

3 1. On February 6, 2026, at 9:00 a.m. in this Department, the Court entered the Order
4 Granting Final Approval of Class Action Settlement and Attorneys' Fees and Costs and Entering
5 Judgment attached hereto as Exhibit 1.

6 2. The Judge confirmed the Court's Tentative Ruling attached hereto as Exhibit 2.

7 3. A conformed copy of this Notice will be submitted to the LWDA via its online electronic
8 portal in accordance with Labor Code § 2699(s)(3).

9 4. Notice of the Court's final ruling and entry of judgment is hereby provided.

10
11 Respectfully submitted,

12
13 Dated: February 19, 2026

Ferraro Vega Employment Lawyers, Inc.

14
15 
16 _____
17 Nicholas J. Ferraro
18 Lauren N. Vega
19 Dorota A. James
20 *Attorneys for Plaintiffs Darby Churchill and*
21 *Dometrives Armstrong*
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EXHIBIT 1

FILED
Clerk of the Superior Court

FEB 18 2026

By: D. Tanner, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

DARBY CHURCHILL and DOMETRIVES
ARMSTRONG, individually and on behalf
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Case No. 37-2023-00032762-CU-OE-CTL

Hon. Evan P. Kirvin
Dept. 69

CLASS ACTION

**[Proposed] Order Granting Final Approval of
Class Action Settlement and Attorneys' Fees and
Costs and Entering Judgment**

Motion for Final Approval/Attorneys' Fees:

Date: February 6, 2026

Time: 9:00 a.m.

[Filed concurrently with Plaintiffs' Notice of Motion
and Motion for Final Approval of Class Action
Settlement, Plaintiffs' Memorandum of Points and
Authorities, Declaration of Nicholas J. Ferraro,
Declaration of Settlement Administrator,
Declaration of Darby Churchill,
and Declaration of Dometrives Armstrong]

Action Filed: August 1, 2023

1 This matter came on for hearing on February 6, 2026, at 9:00 a.m. in Department 69 of the
2 above-captioned Court, the Honorable Evan P. Kirvin presiding, on (1) Plaintiffs Motion for Final
3 Approval of Class Action Settlement and (2) Plaintiffs Motion for Attorneys' Fees and Costs.

4 Having received and considered the motions and supporting papers, including the Class Action
5 and PAGA Settlement Agreement ("Settlement"), the evidence and documents received by the Court
6 in connection with the Motions for Final Approval and Attorneys' Fees and Costs, and the previously
7 decided Motion for Preliminary Approval, the Court GRANTS FINAL APPROVAL of the Settlement
8 and ORDERS AND MAKES THE FOLLOWING DETERMINATIONS:

9 1. Pursuant to the terms of the Settlement and the Order Granting Preliminary Approval,
10 and the Settlement, a notice was sent to each class member by first-class U.S. mail. The notice
11 informed the class of the terms of the Settlement, their right to receive a settlement payment without
12 any required action, their right to comment upon or object to the Settlement, and their right to appear
13 in person or by counsel at the Final Approval Hearing and to be heard regarding approval of the
14 Settlement. Adequate periods of time were provided for each of these procedures.

15 2. Zero class members returned a written objection to the proposed Settlement as part of
16 the notice process or stated an intention to appear at the Final Approval Hearing and there were no
17 dissenting appearances from class members at the hearing. Two class members requested exclusion
18 from the Settlement: Binda Patel and Dale Ayres. These "opt outs" are affirmatively excluded from
19 the class settlement.

20 3. The Court finds and determines the notice procedure afforded adequate protection to the
21 class and provides the basis for the Court's informed decision regarding approval of the Settlement
22 based on the response. The Court finds and determines the notice provided was the best notice
23 practicable, satisfying the requirements of law and due process.

24 4. For purposes of approving this Settlement only, this Court finds and concludes: (a) the
25 proposed class is ascertainable and so numerous that joinder of all members of the class is
26 impracticable; (b) there are questions of law or fact common to the proposed class, and there is a well-
27 defined community of interest among members of the class with respect to the subject matter of the
28 claims; (c) the claims of the representative are typical of the claims of the class; (d) the class

1 representative has and will fairly and adequately protect the interests of the class; (e) a class action is
2 superior to other available methods for an efficient adjudication of this controversy in the context of
3 settlement; and (f) the law firm of Ferraro Vega Employment Lawyers, Inc. is qualified and adequate
4 to serve as Class Counsel in this action.

5 5. The Court confirms certification, for settlement purposes only, of the class as defined in
6 the Settlement and approved at the preliminary approval stage.

7 6. The Court finds and determines the terms set forth in the Settlement are fair, reasonable,
8 and adequate and, having found the Settlement was reached as a result of informed and non-collusive
9 arms'-length negotiations facilitated by a neutral and experienced mediator, directs the Parties to
10 effectuate the Settlement according to its terms. The Court further finds the Parties conducted
11 extensive investigation, research, and informal discovery, and that their attorneys were able to
12 reasonably evaluate their respective positions. The Court also finds that Settlement will enable the
13 Parties to avoid additional and potentially substantial litigation costs, as well as delay and risks if the
14 Parties were to continue to litigate the case. The Court has reviewed the monetary recovery and
15 recognizes the significant value provided to the Class. Therefore, the Court approves the Settlement
16 and incorporates the terms of the Settlement in full into this Final Approval Order as though fully set
17 forth herein.

18 7. The Court finds and determines the fees and expenses in administering the Settlement
19 incurred by the Settlement Administrator of \$7,500 are fair and reasonable. The Court orders these
20 administration costs be paid in accordance with the terms of the Settlement.

21 8. The Court finds and determines the Service Award of \$10,000 to Plaintiff Churchill and
22 Plaintiff Armstrong each is fair and reasonable. The Court orders the service awards be paid in
23 accordance with the terms of the Settlement.

24 9. The Court finds and determines payment to the California Labor and Workforce
25 Development Agency of \$18,750, as its 75% share of the civil penalties under the Private Attorneys
26 General Act is fair, reasonable, and appropriate. The Court orders that amount be paid in accordance
27 with the terms of the Settlement and approves the settlement of claims under the Private Attorneys
28 General Act pursuant to Labor Code § 2699(s)(2).

1 10. Pursuant to the terms of the Settlement and the statutory provisions authorizing
2 attorneys' fees under the California Labor Code and Code of Civil Procedure, as set forth in the Motion
3 for Attorneys' Fees, the Court awards Class Counsel attorneys' fees of \$158,317.50 and litigation costs
4 of \$28,637.97. Class Counsel has sufficiently explained the basis for the fee award based on a
5 percentage of the fund. The Court finds such amounts to be fair and reasonable. The Court orders the
6 Settlement Administrator to make these payments in accordance with the Settlement.

7 11. Without affecting the finality of this Order or the entry of judgment in any way, the
8 Court retains jurisdiction of all matters relating to the interpretation, administration, implementation,
9 and enforcement of this Order and the Settlement.

10 12. Nothing in this Order shall preclude any action to enforce the Parties' obligations under
11 the Settlement or under this Order, including the requirement that Defendant make payments to Class
12 Members in accordance with the Settlement.

13 13. The Court hereby ENTERS FINAL JUDGMENT in accordance with the terms of the
14 Settlement, in accordance with this Final Approval Order and Judgment.

15 14. The Parties shall comply with Cal. Rules of Court Rule 3.771(b), by filing a Notice of
16 Entry of Judgment with the Court.

17
18 **IT IS SO ORDERED.**

19
20 Date: 02-18-20



The Honorable Evan P. Kirvin
Judge of the Superior Court

EXHIBIT 2

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
CENTRAL COURTHOUSE

TENTATIVE RULINGS - February 05, 2026

HEARING DATE: 02/06/26

HEARING TIME: 9:00AM

DEPT.: C-69

JUDICIAL OFFICER: KIRVIN, EVAN P.

CASE NO.:37-2023-00032762-CU-OE-CTL

CASE TITLE: Churchill vs Interim Healthcare San Diego LLC [E-FILE]

CASE TYPE: (U)Other Employment

HEARING TYPE: Motion Hearing

In connection with the unopposed motions for final approval of class settlement filed by Plaintiffs Darby Churchill and Dometrives Armstrong, on behalf of themselves, and all others similarly situated (ROA # 57) and for attorneys' fees (ROA # 63), the Court issues the following ruling:

Given the risks of litigation and the range of probable results, the settlement, taken as a whole, appears to be fair, reasonable and adequate to all concerned.

The litigation costs of \$28,637.97, payable to class counsel, and the settlement administration costs of \$7,500, payable to Phoenix, are reasonable for a case of this type. The costs are therefore approved.

The proposed service award to the two named Plaintiffs of \$10,000 is reasonable. The Court understands the risks associated with agreeing to be named as a class representative and concludes that \$10,000 is a reasonable award for the Plaintiffs in light of the net settlement amount. *See Early v. Superior Court* (2000) 79 Cal.App.4th 1420, 1433 [cost burden falls on class reps, not absent class members].

Finally, the attorneys' fees proposal of \$158,317.50 represents one-third of the gross settlement fund. This is not out of line with class action fee awards calculated using the percentage-of-the-benefit method. *See Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 66 fn. 11. In addition, upon performing a "cross-check" using the lodestar method, the Court finds that the requested attorneys' fees are reasonable. According to the declaration of class counsel, the attorneys assigned to this matter billed a total of 271 hours. Ferraro Decl., ¶ 9. This results in a blended hourly rate of approximately \$584.20 per hour (\$158,317.50 divided by 271), which is reasonable for similar work in San Diego County. *See Cordero-Sacks v. Housing Authority of City of Los Angeles* (2011) 200 Cal.App.4th 1267, 1286 ["The trial court is in the best position to determine the reasonableness of the hourly rate of an attorney appearing before the court and the value of the attorney's professional services."]. The requested fee award of \$158,317.50 is therefore approved.

Therefore, the Court approves the settlement and awards attorneys' fees and costs to Class Counsel as requested in the motion. The Court also awards settlement administration costs and an incentive award to the Class Representatives as requested in the motion.

The Court will sign Plaintiffs' proposed order (ROA # 65) and invites counsel to submit a proposed judgment.