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Attorneys for Plaintiffs

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

DJUANA SHANELLA HALE and SHANNON
GILBERT, individually, and on behalf of other
similarly situated employees and aggrieved
employees pursuant to the California Private
Attorneys General Act, and GEORGE
HERNANDEZ, individually, and on behalf of
other similarly situated employees,

Plaintiffs,

vs.

WELBE HEALTH, LLC, a Delaware Limited
Liability Company; WELBE HEALTH PACE,
LLC, a Delaware Limited Liability Company;
WELBE HEALTH BAY AREA PACE, LLC, a
Delaware Limited Liability Company;
WELBEHEALTH INLAND EMPIRE PACE,
LLC, a Delaware Limited Liability Company;
WELBE HEALTH SAN BERNARDINO PACE,
LLC, a Delaware Limited Liability Company; LA
COAST PACE, LLC, a Delaware Limited
Liability Company; WELBE HOUSECALLS,
LLC, a Delaware Limited Liability Company;
SEQUOIA PACE, LLC, a Delaware Limited
Liability Company; WELBE HEALTH HC,
NOCAL, LLC, a Delaware Limited Liability
Company; WELBE HEALTH HC SOCAL, LLC,

Case No. STK-CV-UOE-2023-0006866

Honorable Robert T. Waters
Department 11B

**RE-NOTICE OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: January 31, 2025
Time: 9:00 a.m.
Dept.: 11B

Complaint Filed: July 5, 2023
FAC Filed: September 23, 2024
Trial Date: Not Set

1 a Delaware Limited Liability Company;
2 STOCKTON PACE, LLC, a Delaware Limited
3 Liability Company; and DOES 1 through 25,
4 inclusive,

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Defendants.

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** on **January 31, 2025 at 9:00 a.m.** in Department 11B of the
3 above-captioned Court located at 180 East Weber Avenue, Stockton, California 95202, pursuant to
4 California Code of Civil Procedure section 382 and Rule 3.769 of the California Rules of Court, Plaintiffs
5 Djuana Shanella Hale, Shannon Gilbert, and George Hernandez (collectively, “Plaintiffs”) will and
6 hereby do move the Court for an Order granting preliminary approval of the proposed class action and
7 PAGA settlement between Plaintiffs and Defendants Welbe Health, LLC; Welbe Health PACE, LLC;
8 Welbe Health Bay Area PACE, LLC; WelbeHealth Inland Empire PACE, LLC; Welbe Health San
9 Bernardino PACE, LLC; LA Coast PACE, LLC; Welbe Housecalls, LLC; Sequoia PACE, LLC; Welbe
10 Health HC, NoCal, LLC; Welbe Health HC SoCal, LLC; and Stockton PACE, LLC (collectively,
11 “Defendants”).

12 Plaintiffs request that the Court enter an Order:

13 1. Preliminarily approving the Joint Stipulation of Class Action and PAGA Settlement and
14 Release (“Settlement” or “Settlement Agreement”) attached as Exhibit D to the Declaration of Jonathan
15 M. Genish in Support of Plaintiffs’ Motion for Preliminary Approval of Class Action and PAGA
16 Settlement (“Genish Decl.”);

17 2. Certifying the Class for Settlement purposes;

18 3. Appointing Plaintiffs Djuana Shanella Hale, Shannon Gilbert, and George Hernandez as
19 the Class Representative for Settlement purposes;

20 4. Appointing Jonathan M. Genish, Miriam L. Schimmel, Joana Fang, and Alexandra Rose
21 of Blackstone Law, APC as Class Counsel for Settlement purposes;

22 5. Approving the proposed Notice of Proposed Class Action and PAGA Settlement, and
23 Hearing Date for Final Court Approval if Settlement (“Class Notice”), attached as Exhibit 1 to the
24 Settlement Agreement, to be mailed to the Class;

25 6. Approving the opt-out and objection procedures provided in the Settlement Agreement
26 and set forth in the Class Notice;

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7. For each Class Member and PAGA Member, directing Defendants to furnish their full name, last-known address, last-known telephone number, Social Security number, dates worked from April 30, 2019 through September 29, 2024, dates worked from July 3, 2023 through September 29, 2024 (if applicable), and dates worked from April 30, 2019 through the date on which the Court grants preliminary approval of the Settlement to the Settlement Administrator within fourteen (14) calendar days after the Court grants preliminary approval of the Settlement;

8. Approving the proposed deadlines for the settlement administration process; and

9. Setting a Final Approval Hearing.

Pursuant to California Labor Code section 2699(1)(2) and concurrently with the filing of this Motion, a copy of the Settlement was submitted to the California Labor and Workforce Development Agency (“LWDA”) via online submission through the LWDA’s website. (Genish Decl., ¶ 52).

This Motion is made pursuant to Rule 3.769 and Rule 3.1113(e) of the California Rules of Court, which require approval by the Court of a class action settlement and permit the Court to extend the page limit for memoranda.

This Motion is based upon this Notice, the attached Memorandum of Points and Authorities, the Declaration of Jonathan M. Genish, the Declaration of Plaintiffs Djuana Shanella Hale, Shannon Gilbert, and George Hernandez, the Declaration of Lisa Mullins of ILYM Group, Inc., the pleadings and other records on file with the Court in this matter, and any other further evidence or argument that the Court may properly receive at or before the hearing.

Respectfully submitted,

Dated: December 19, 2024

BLACKSTONE LAW, APC

By:

Jonathan M. Genish
Attorneys for Plaintiffs Djuana Shanella Hale,
Shannon Gilbert, and George Hernandez

1 **PROOF OF SERVICE**

2 I, Stephany Sinaguinan, certify and declare as follows:

3 I am over eighteen years of age and not a party to the within action; my business address is
4 8383 Wilshire Blvd, Suite 745, Beverly Hills, California 90211. On December 19, 2024, I served a
copy of the following document:

5 • **RE-NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS
6 ACTION AND PAGA SETTLEMENT**

7 on the interested parties as follows:

8 Veronica T. Hunter
9 Samuel J. Maselli
10 **Jackson Lewis P.C.**
11 400 Capitol Mall, Suite 1600
12 Sacramento, California 95814
13 Tel: (916) 341-0404 / Fax: (919) 341-0141
14 E-mails: veronica.hunter@jacksonlewis.com
15 samuel.maselli@jacksonlewis.com;
16 gail@baum@jacksonlewis.com

17 Attorneys for Defendants

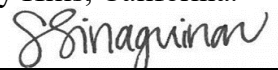
18 ☒ **BY ELECTRONIC MAIL (E-MAIL):** I caused said document to be delivered electronically
19 to the above referenced addresses via email from email address *ssina@blackstonepc.com*
20 pursuant to California Code of Civil Procedure section 1010.6(e)(1). I did not receive any
21 electronic message or other indication that the transmission was unsuccessful.

22 State of California, Labor & Workforce Development Agency
23 Web URL:
24 <http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>

25 ☒ **BY ONLINE SUBMISSION:** The foregoing document was transmitted to the California
26 Labor and Workforce Development Agency through the online system established for the
27 submission of notices and documents, in conformity with California Labor Code section
28 2699(1). I did not receive any electronic message or other indication that the transmission was
unsuccessful.

☒ **STATE** – I declare under penalty of perjury under the laws of the State of California that the
above is true and correct.

Executed on December 19, 2024 at Beverly Hills, California.

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25 _____
26 Stephany Sinaguinan