

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

Norman B. Blumenthal (State Bar #068687)

Kyle R. Nordrehaug (State Bar #205975)

Aparajit Bhowmik (State Bar #248066)

2255 Calle Clara

La Jolla, CA 92037

Telephone: (858)551-1223

Facsimile: (858)551-1232

Email: Kyle@bamlawca.com

Website: www.bamlawca.com

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SACRAMENTO

LEAH MALAPIT, INFINITY PRICE,
LAURA MACIAS, and LIWANAG
LINANG, individuals, on behalf of
themselves, and on behalf of all persons
similarly situated, and on behalf of the
State of California, as private attorneys
general,

Plaintiffs,

vs.

ED DAVID CARE HOMES, INC., a
corporation; AIM HIGHER,
INCORPORATED, a corporation; and
DOES 1 through 50, inclusive,

Defendants.

CASE NO.: **23CV012773**

**NOTICE OF MOTION AND
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: May 2, 2025

Hearing Time: 9:00 a.m.

Reservation ID # **A-12773-001**

Judge: Hon. Lauri A Damrell

Dept: 22

Date Filed: December 5, 2023

Trial Date: Not set

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

2 YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on May 2, 2025 in Department
3 22 at the above entitled Court before the Honorable Lauri A. Damrell, Plaintiffs Leah
4 Malapit, Infinity Price, Laura Macias and Liwanag Linang (“Plaintiffs”) will apply for an
5 order: (1) preliminarily approving the proposed settlement of this class action with
6 Defendant Ed David Care Homes, Inc. (“Defendant”); (2) for settlement purposes only,
7 conditionally certifying the Class, which is comprised of “all non-exempt employees who
8 are or previously were employed by Defendant in California at any time during the Class
9 Period”, which is December 6, 2019 through March 11, 2025; (3) provisionally appointing
10 Plaintiff as the representative of the Class; (4) provisionally appointing Blumenthal
11 Nordrehaug Bhowmik De Blouw LLP as Class Counsel; (5) approving the form and method
12 for providing class-wide notice; (6) directing that notice of the proposed settlement be given
13 to the class; (7) appointing Apex Class Action as Administrator, and (8) scheduling a final
14 approval hearing date, proposed for September 26, 2025 which is at least 120 days from
15 preliminary approval, to consider Plaintiffs’ motion for final approval of the settlement and
16 for approval of attorneys’ fees, expenses and service awards.

17 This unopposed motion for preliminary approval of the class settlement is brought
18 pursuant to California Rules of Court, rule 3.769. Plaintiffs’ motion will be based on this
19 notice of motion and motion, the accompanying memorandum of points and authorities, the
20 Declaration of Kyle Nordrehaug, the Declarations of the Plaintiffs, the Class Action and
21 PAGA Settlement Agreement (“Agreement”) between the Parties, and the complete files and
22 records in this action. Because all Parties have agreed to the proposed class settlement, this
23 motion is not opposed by Defendant.

24 Pursuant to Local Rule 1.06 (A), the court will make a tentative ruling on the merits
25 of this matter by 2:00 p.m., the court day before the hearing. The complete text of the
26 tentative ruling may be downloaded off the court's website. If the party does not have online
27 access, they may call the dedicated phone number for the department as referenced in the
28 local telephone directory between the hours of 2:00 p.m. and 4:00 p.m. on the court day

1 before the hearing and receive the tentative ruling. If you do not call the court and the
2 opposing party by 4:00 p.m. the court day before the hearing, no hearing will be held.

3 Respectfully submitted,

4 Dated: April 8, 2025

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

By: /s/ Kyle Nordrehaug
Kyle R. Nordrehaug, Esq.
Attorney for Plaintiffs