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9 Attorneys for Plaintiff,

10 STEPHANIE FLORES, and all others similarly situated

11 (Additional attorneys for Plaintiff(s) on following page)

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

13 **FOR THE COUNTY OF LOS ANGELES**

14 **(UNLIMITED JURISDICTION)**

15 STEPHANIE FLORES, on behalf of herself, all
16 others similarly situated, the general public, and
17 as an “aggrieved employee” on behalf of other
18 “aggrieved employees” under the Labor Code
19 Private Attorneys General Act of 2004,

20 *Plaintiff(s),*

21 *vs.*

22 FREEDOM CARE LLC, a New York limited
23 liability company; FREEDOM CARE CA LLC,
24 a New York limited liability company; and
25 DOES 1–50, inclusive,

26 *Defendant(s).*

Case No. 23STCV23051

**PLAINTIFF STEPHANIE FLORES’
NOTICE OF MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Hearing Date: March 13, 2025

Hearing Time: 10:00 a.m.

Hearing Dept.: 7, The Honorable
Lawrence P. Riff

Action filed: December 08, 2023

Trial Date: Not Set

**Submitted Herewith Under Separate
Cover:**

1. Memorandum of Points and Authorities;
2. Declaration(s) of David Spivak and Louis M. Benowitz; and
3. [Proposed] Order



SPIVAK LAW
EMPLOYEE RIGHTS

ADDITIONAL ATTORNEYS FOR PLAINTIFF(S)

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Attorneys for Plaintiff,

STEPHANIE FLORES, and all others similarly situated



SPIVAK LAW
EMPLOYEE RIGHTS

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on March 13, 2025 at 10:00 a.m., or as soon thereafter as
3 the matter may be heard, in Department 7 of the Los Angeles County Superior Court, located at
4 Spring Street Courthouse, 312 N Spring St., Los Angeles, CA 90012, Plaintiff Stephanie Flores
5 (“Plaintiff”) will and hereby does move this Court for an order: (1) granting class certification of
6 the Settlement Class solely for settlement purposes pursuant to California Code of Civil Procedure
7 section 382; (2) preliminarily approving the Class Action and PAGA Settlement Agreement and
8 Class Notice (the “Settlement”)¹ between Plaintiff and Defendants Freedom Care LLC and
9 Freedom Care CA LLC (collectively “Defendants”) (Plaintiff and Defendants are referred to
10 below collectively as the “Parties), (3) appointing David Spivak of The Spivak Law Firm and
11 Louis M. Benowitz of Benowitz Law Corporation as Class Counsel; (5) appointing Plaintiff as
12 Class Representative (“Class Representative”); (6) approving the use of the proposed notice
13 procedures and related forms; (7) directing that notice be mailed to the proposed Settlement Class;
14 and (8) scheduling a hearing date for motion for final approval of class action settlement and
15 awards of attorneys’ fees and costs.

16 The “Settlement Class” or “Class Members” consists of all of Defendants’ non-exempt
17 California employees during the Class Period. Settlement, ¶ 1.5. “Class Period” means the period
18 from December 8, 2019 through November 6, 2024.

19 This Motion is made on the following grounds: (1) the Settlement Class meets all the
20 requirements for class certification for settlement purposes only under California Code of Civil
21 Procedure section 382; (2) Plaintiff and her counsel are adequate to represent the Settlement
22 Class; (3) the Settlement reflects a fair, adequate, and reasonable compromise of all disputed
23 claims in view of Defendants’ potential liability exposure as compared against the risks of
24 continued litigation; (4) the proposed notice procedures and related forms adequately apprise the
25 Class Members of their rights under the Settlement and fully comport with due process; and (5)
26 in view of the foregoing, notice should be disseminated to the Class Members and a hearing date
27

28 ¹ The Settlement is attached as Exhibit 1 to the Declaration of David Spivak (“DS”), which is
submitted herewith under a separate cover.



1 for motion for final approval of class action settlement, and awards of attorneys' fees and costs
2 should be set.

3 The Motion is based on this Notice of Motion and Motion, the attached Memorandum of
4 Points and Authorities, the Declarations of David Spivak and Louis M. Benowitz, all papers and
5 pleadings on file with the Court in this action, all matters judicially noticeable, and on such oral
6 and documentary evidence as may be presented in connection with the hearing on the Motion.

7 Respectfully submitted,

8
9 THE SPIVAK LAW FIRM

10 Dated: January 2, 2025

11 By: David Spivak
12 DAVID G. SPIVAK, Attorneys for
13 Plaintiff, STEPHANIE FLORES, and
14 all others similarly situated
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