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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

12 ERIKA MANSILLA and GUADALUPE
13 CARRILLO, individually, and on behalf of all
others similarly situated,

14 *Plaintiffs,*

15 v.

16 DARBUN ENTERPRISES, INCORPORATED
17 DBA ALL SAINTS HEALTH CARE, a
California corporation; and DOES 1 through 10,
18 inclusive,

19 *Defendants.*

Lead Case No. 23STCV23213
[Related Case No. 24STCV10269]

*[Assigned for All Purposes to the Hon.
William F. Highberger, Dept. 10]*

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Preliminary Approval Hearing:

Date: May 11, 2026

Time: 11:30 a.m.

Dept: 10

Action Filed: September 25, 2023

1 **[PROPOSED] ORDER**

2 Having reviewed Plaintiffs Erika Mansilla and Guadalupe Carrillo's (collectively
3 "Plaintiffs") Motion for Preliminary Approval of Class Action and PAGA Settlement
4 ("Motion"), the Declaration of John G. Yslas, the Declaration of Erika Mansilla, the Declaration
5 of Guadalupe Carrillo, the Declaration of Lisa Mullins, and the Class Action and PAGA
6 Settlement Agreement and Class Notice ("Settlement Agreement"), and good cause appearing,
7 the Court finds and HEREBY ORDERS THE FOLLOWING:

8 1. The Court finds on a preliminary basis that the Settlement Agreement appears to
9 be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval.
10 The Court grants preliminary approval of the Settlement and the Settlement Class based on the
11 terms set forth in the Settlement Agreement between Plaintiffs and Defendant Darbun
12 Enterprises, Incorporated DBA All Saints Health Care ("Defendant"), attached to the
13 Declaration of John G. Yslas in Support of Plaintiffs' Motion for Preliminary Approval of Class
14 Action and PAGA Settlement as **Exhibit 2**.

15 2. The Settlement falls within the range of reasonableness of a settlement which
16 could ultimately be given final approval by this Court, and appears to be presumptively valid,
17 subject only to any objections that may be raised at the Final Approval Hearing and final
18 approval by this Court. The Court notes that Defendant has agreed to create a common fund of
19 \$1,500,000.00 to cover (a) settlement payments to Class Members who do not validly opt out;
20 (b) a \$75,000.00 allocation toward civil penalties under the Private Attorneys General Act, 75%
21 of which (\$56,250.00) will be paid to California's Labor & Workforce Development Agency
22 and 25% of which (\$18,750.00) will be paid to Aggrieved Employees; (c) Class Representative
23 Service Payments of up to \$10,000.00 to each of the Plaintiffs (\$20,000.00 total); (d) Class
24 Counsel's attorneys' fees not to exceed one third (1/3) of the Gross Settlement Amount
25 (currently estimated to be \$500,000.00) and up to \$28,000.00 in costs for actual litigation
26 expenses incurred by Class Counsel; and (e) Settlement Administration Costs of up to
27 \$12,850.00.

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1 3. The Court preliminarily finds that the terms of the Settlement appear to be within
2 the range of possible approval, pursuant to California Code of Civil Procedure § 382 and
3 applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair
4 and reasonable to the Class Members when balanced against the probable outcome of further
5 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
6 significant informal discovery, investigation, research, and litigation have been conducted such
7 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;
8 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
9 by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as
10 the result of intensive, serious, and non-collusive negotiations between the Parties with the
11 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
12 that the Settlement Agreement was entered into in good faith.

13 4. A final approval hearing on the question of whether the proposed Settlement,
14 attorneys' fees and costs to Class Counsel, payment to the California's Labor & Workforce
15 Development Agency for its share of the settlement of claims for penalties under the Private
16 Attorneys General Act, and the Class Representative Service Payment should be finally
17 approved as fair, reasonable and adequate as to the members of the Class is hereby set in
18 accordance with the Implementation Schedule set forth below.

19 5. The Court provisionally certifies for settlement purposes only the following class
20 (the "Class"): "all persons who worked for Defendant in California as an hourly-paid or non-
21 exempt employee at any time during the Class Period."

22 6. "Class Period" means the period from March 31, 2019, through the date of
23 Preliminary Approval of the Settlement, or the Alternative End Date.

24 7. The Court finds, for settlement purposes only, that the Settlement Class meets the
25 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
26 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
27 of law and fact that are common, or of general interest, to all Settlement Class Members, which
28 predominate over individual issues; (3) Plaintiffs' claims are typical of the claims of the

Settlement Class Members; (4) Plaintiffs and Class Counsel will fairly and adequately protect the interests of the Settlement Class Members; and (5) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

8. The Court appoints as Class Representatives, for settlement purposes only, Plaintiffs Erika Mansilla and Guadalupe Carrillo. The Court further preliminarily approves Plaintiffs' ability to each request an incentive award of up to \$10,000.00 (\$20,000.00 total).

9. The Court appoints, for settlement purposes only, John G. Yslas, Jeffrey C. Bils, Emily K. Borman, and Courtney M. Miller of Wilshire Law Firm, PLC, as Class Counsel. The Court further preliminarily approves Class Counsel's ability to request attorneys' fees of up to one third (1/3) of the Gross Settlement Amount (currently estimated to be \$500,000.00), and litigation costs not to exceed \$28,000.00.

10. The Court appoints ILYM Group Inc. as the Settlement Administrator with reasonable administration costs estimated not to exceed \$12,850.00.

11. The Court approves, as to form and content the Class Notice, attached to the Settlement Agreement. The Court finds on a preliminary basis that plan for distribution of the Notice to Settlement Class Members satisfies due process, provides the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

12. The Court consolidates the Class Action and the related PAGA Action for settlement purposes, with the Class Action being the lead case.

13. The Parties are ordered to carry out the Settlement according to the terms of the Settlement Agreement.

14. Any Class Member who does not timely and validly request exclusion from the Settlement may object to the Settlement Agreement.

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15. The Court orders the following Implementation Schedule:

Event	Timing
Class Data: Last day for Defendant to provide Class Data to the Administrator	10 days after the Court grants Preliminary Approval of the Settlement
Class Notice: Last day for Administrator to mail the Class Notice to Class Members	14 days after receipt of the Class Data
Response Deadline: Last day for Class Members to submit written objections, challenges to workweeks and/or pay periods, and requests for exclusion	45 days after Class Notice is mailed out by the Administrator (with an additional 14 days for Class Members whose Class Notice was remailed)
Filing Deadline: Last day to file Motion for Final Approval, Request for Attorneys' Fees and Costs, and Class Representative Service Payments to Plaintiffs	16 court days before the Final Approval Hearing
Final Approval Hearing	_____, 2026, at _____ a.m./p.m. in Dept. 10 of the above-referenced Court.

16. The Court further ORDERS that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the settlement, are stayed.

IT IS SO ORDERED.

DATE: _____

HON. WILLIAM F. HIGHBERGER
JUDGE OF THE SUPERIOR COURT