

SANI LAW, APC

Sam Sani (SBN 273993)
595 E. Colorado Blvd., Suite 522
Pasadena, CA 91101
Telephone: (310) 935-0405
Facsimile: (310) 935-0409
ssani@sanilawfirm.com

HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355
phaines@haineslawgroup.com

Attorneys for Plaintiff
NANCI MCDANIEL

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

NANCI MCDANIEL, individually and on
behalf of others similarly situated,

Plaintiff,

vs.

DONNESSTO HOME CARE LLC DBA
FIRSTLIGHT HOME CARE OF SANTA
CLARITA, a California Limited Liability
Company; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: 24STCV00457

*[Assigned for All Purposes to Honorable Judge
Gail Killefer – Department 37]*

**~~PROPOSED~~ ORDER AND JUDGMENT
GRANTING PLAINTIFF'S MOTION FOR
APPROVAL OF SETTLEMENT OF
CLAIMS BROUGHT UNDER PAGA, AND
REASONABLE ATTORNEYS' FEES AND
COSTS**

**[PROPOSED] ORDER AND JUDGMENT GRANTING PLAINTIFF'S MOTION FOR APPROVAL OF
SETTLEMENT OF CLAIMS BROUGHT UNDER PAGA, AND REASONABLE ATTORNEYS' FEES AND
COSTS**

1 **[PROPOSED] ORDER**

2 Plaintiff Nanci McDaniel's ("Plaintiff") Motion for Approval of Settlement of Claims
3 Brought Under the Private Attorneys General Act and Reasonable Attorneys' Fees, and Costs
4 ("Motion") came on regularly for hearing before this Court on December 20, 2024 at 8:30 a.m.
5 Having considered the Motion, the documents and evidence presented in support thereof,
6 including the PAGA Settlement Agreement ("Settlement") submitted as **Exhibit B** to the
7 Declaration of Sam Sani filed in support of the Motion, and recognizing the disputed factual and
8 legal issues involved in this case, the risks of further prosecution, the benefits to be received by
9 the State of California and the Aggrieved Employees pursuant to the Settlement, the fair,
10 reasonable, and adequate nature of the settlement obtained as a result of good faith arm's-length
11 negotiations between the parties, the Court hereby makes a final ruling that the settlement is
12 approved pursuant to California Labor Code § 2699(l). Good cause appearing therefor, the Court
13 hereby **GRANTS** Plaintiff's Motion and **ORDERS** as follows:

14 1. The "Aggrieved Employees" shall be defined as all hourly non-exempt employees
15 of Defendant Donnessto Home Care LLC dba Firstlight Home Care of Santa Clarita
16 ("Defendant") in California during the period from November 1, 2022 to December 8, 2024.

17 2. The "PAGA Period" means the period from November 1, 2022 to December 8,
18 2024.

19 3. The Court hereby approves the Settlement as set forth in the Settlement as fair,
20 reasonable, and adequate, and directs the parties to effectuate the Settlement according to the
21 terms of the Settlement.

22 4. The Court orders that Defendant shall pay the Gross Settlement Amount of
23 \$155,000.00 to the Settlement Administrator in accordance with the terms of the Settlement.

24 5. The Court hereby appoints Phoenix Class Action Administration Solutions as
25 Settlement Administrator.

26 6. Within sixty (60) calendar days of Plaintiff's execution of the Settlement,
27 Defendant shall have provided the Settlement Administrator with a list containing the Aggrieved
28 Employees' full name, last known mailing address, Social Security number, and the number of

1 PAGA Pay Periods worked by each Aggrieved Employee, in accordance with the Settlement.
2 The list will contain the total of all pay periods worked by all Aggrieved Employees during the
3 PAGA Period.

4 7. Within fourteen (14) calendar days of Defendant fully funding the Gross
5 Settlement Amount, the Settlement Administrator is directed to mail the Individual PAGA
6 Payments to the Aggrieved Employees, and the LWDA PAGA Payment to the LWDA, in
7 accordance with the Settlement.

8 8. The Court finds that attorneys' fees in the amount of \$51,666.67 for Plaintiff's
9 Counsel, and reimbursement of litigation costs of \$8,816.30 to Plaintiff's Counsel are fair,
10 reasonable, and adequate, and orders that the Settlement Administrator distribute these payments
11 to Plaintiff's Counsel as provided for in the Settlement.

12 9. The Court orders that the Settlement Administrator shall be paid \$3,500.00 for all
13 of its work done and to be done until the completion of this matter and finds that sum appropriate.

14 10. The Court finds that the amount of \$68,262.77 representing 75% of the Net
15 Settlement Amount shall be paid to the California Labor and Workforce Development Agency
16 ("LWDA") as provided for by the Settlement, is fair, adequate, and reasonable, and orders that
17 payment be made to the LWDA in accordance with the terms of the Settlement Agreement.

18 11. The Court approves the limited scope of the release. Following entry of this Order
19 and Final Judgment, all Aggrieved Employees will release Defendant and each of its former and
20 present directors, officers, shareholders, owners, members, attorneys, insurers, predecessors,
21 successors, assigns, subsidiaries, affiliates (collectively, the "Released Parties") from all claims
22 for PAGA penalties that were alleged, or reasonably could have been alleged, based on the PAGA
23 Period facts alleged in the Complaint and the November 1, 2023 PAGA Notice letter to the
24 LWDA ("PAGA Released Claims").

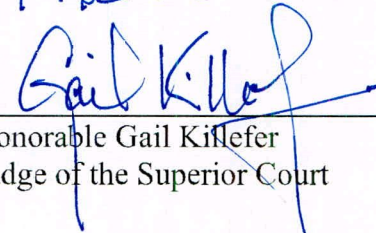
25 12. Upon entry of this Final Order and Judgment, the Court permanently enjoins and
26 forever bars Plaintiff and the Aggrieved Employees from instituting or prosecuting any action for
27 civil penalties against the Released Parties which was resolved as part of the Settlement. Without
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1 affecting the finality of this Final Order and Judgment in any way, the Court retains jurisdiction
2 to enforce the terms of the Settlement.

3 13. The Settlement Amount shall be fully funded by October 31, 2025, and the
4 Settlement Administrator shall mail the Individual PAGA Payments to the Aggrieved Employees
5 by November 14, 2025 (14 days after the Settlement Amount is fully funded), in accordance with
6 the Settlement. Plaintiff shall file a declaration confirming the final distribution of funds on or

7 before July 1, 2026. The Court advances the OSC
8 re Dismissal on 3/14/25 to today and continues the
9 IT IS SO ORDERED. OSC to 7/7/2026 at 8:30 a.m.

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11 Dated: 12/20, 2024


12 Honorable Gail Killefer
13 Judge of the Superior Court
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12/24/2024