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Attorneys for Plaintiff
JOAN S. WALTER

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ORANGE

JOAN S. WALTER, an individual on behalf
of herself and the STATE OF
CALIFORNIA, as Private Attorney General,

Plaintiff,

vs.

CAPO BEACH HEALTHCARE, LLC;
VALLEY POST-ACUTE AND REHAB,
LLC, a California Limited Liability
Company; and DOES 1 through 20,
inclusive,

Defendants.

CASE NO. 30-2024-01409294-CU-WT-
CXC

*[Assigned for all purposes to the Hon.
Layne H. Melzer, Dept. CX102]*

NOTICE OF RULING

Complaint Filed: June 24, 2024
Trial Date:

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 23, 2025, the Honorable Layne H. Melzer, Judge of the Superior Court of California, County of Orange, Department CX102, issued a Minute Order on Plaintiff Joan S. Walter's ("Plaintiff") Motion for Approval of Representative PAGA Settlement ("Motion").

The Court conditionally granted Plaintiff's Motion pending resolution of certain issues identified in its ruling. Specifically, the Court directed Plaintiff's counsel to submit a fully executed copy of the further revised settlement agreement within ten (10) court days. The Court further ordered Plaintiff's counsel to submit a revised proposed order and judgment within five

(5) court days, addressing the specific items detailed in the Court's August 25, 2025 Order. Upon resolution of these issues, the Court will grant the Motion and approve the proposed disbursements from the Gross Settlement Amount. A true and correct copy of the Minute Order is attached hereto as **Exhibit A**.

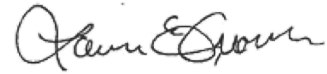
The Minute Order provided a breakdown of the disbursements from the Gross Settlement Amount of \$88,080.00 that was \$4,404.00 short. This shortage appears to have resulted from the Attorneys' Fees disbursement amount. Thus, counsel for all parties has stipulated to correcting that amount to \$26,424.00. A true and correct copy of that stipulation is attached hereto as **Exhibit B**.

The Court further set the Final Accounting Hearing for August 20, 2026, at 2:00 p.m. in Department CX102. Additionally, a Status Conference to discuss disposition of any pending individual claims is scheduled for January 29, 2026, at 9:30 a.m. in Department CX102.

Dated: October 28, 2025

GROCHOW LAW, A PROFESSIONAL CORP.

By:



Lauren E. Grochow
Daniel M. Kalinowski
Celine Torres
Attorneys for Plaintiff Joan S. Walter

EXHIBIT A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Civil Complex Center
751 W. Santa Ana Blvd
Santa Ana, CA 92701

SHORT TITLE: Walter vs. Capo Beach Healthcare, LLC**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC
SERVICE****CASE NUMBER:**
30-2024-01409294-CU-WT-CXC

I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 10/23/25, was transmitted electronically by an Orange County Superior Court email server on October 23, 2025, at 3:07:39 PM PDT. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

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SHARLYNNE.MATE@JACKSONLEWIS.COM

Clerk of the Court, by: , Deputy

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER

MINUTE ORDER

DATE: 10/23/2025

TIME: 02:00:00 PM

DEPT: CX102

JUDICIAL OFFICER PRESIDING: Layne H. Melzer

CLERK: L. Mendez

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: A. Condaras

CASE NO: **30-2024-01409294-CU-WT-CXC** CASE INIT.DATE: 06/24/2024

CASE TITLE: **Walter vs. Capo Beach Healthcare, LLC**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Wrongful Termination

EVENT ID/DOCUMENT ID: 74642947

EVENT TYPE: Motion for Approval of Class Settlement

APPEARANCES

No Appearance by all parties

Tentative Ruling posted on the Internet.

The Tentative Ruling was accepted and no appearance was requested.

The Court confirms the tentative ruling as follows:

The Court has reviewed the supplemental materials provided by Class Counsel and finds that, with two exceptions, they adequately address the previously identified issues. Accordingly, Plaintiff Joan S. Walter's Motion for Approval of Representative PAGA Settlement is **CONDITIONALLY GRANTED**, pending the resolution of the issues identified below.

This is an employment discrimination and individual wage-and-hour case. On June 2, 2024, Plaintiff Joan S. Walter, an individual on behalf of herself and the State of California as Private Attorney General ("Plaintiff"), filed a Verified Complaint against Defendants Capo Beach Healthcare, LLC and Valley Post-Acute and Rehab, LLC ("Defendants"). The Complaint asserts 19 individual causes of action for whistleblower retaliation; discrimination, harassment, and retaliation under the Fair Employment and Housing Act ("FEHA"); wrongful termination; various Labor Code wage-and-hour violations; unfair business practices; breach of contract; and declaratory and injunctive relief. The Complaint also alleges a cause of action for PAGA penalties predicated on the various alleged Labor Code violations.

On February 18, 2025, Plaintiff filed the current Motion for Order Approving Settlement of Claims Brought Pursuant to The Private Attorneys General Act. The Motion seeks approval of the parties' PAGA Settlement Agreement wherein Plaintiff's PAGA claim against Defendants is settled for the non-reversionary Gross Settlement Amount of \$88,080.00. The Settlement Agreement does not include the settlement of Plaintiff's individual claims.

The settlement group consists of approximately 209 Aggrieved Employees defined as: "Plaintiff and all other individuals who are or were employed by Defendant and who worked at least one shift in California from July 1, 2023, through December 31, 2024."

At the hearing on May 15, 2025, the Court continued the matter in order to give Plaintiff's Counsel an opportunity to address several issues.

On June 27, 2025, Plaintiff filed the Revised Declaration of counsel in response to the Court's May 15, 2025 Order. After the hearing on August 14, 2025, the Court continued the matter in order to give Plaintiff's Counsel an opportunity to address various outstanding issues.

On October 6, 2025, Plaintiff filed a Supplemental Declaration of counsel in response to the Court's August 25, 2025 order.

Based on the representations of Plaintiff's Counsel and a review of the redline of the Revised Settlement Agreement, the Court concludes that the \$88,080.00 PAGA Settlement is fair and reasonable.

However, Plaintiff has not submitted a fully executed copy of the further revised settlement agreement; Plaintiff provided only a redlined copy. (See ROA #83 at Exh. 2.) Accordingly, within ten (10) court days, Plaintiff's counsel must submit a fully executed copy of the further revised settlement agreement.

Plaintiff also once again failed to submit a revised proposed order and judgment to address the issues raised in the Court's August 25, 2025 order. Accordingly, within five (5) court days, Plaintiff's counsel must submit a revised proposed order and judgment that addresses the following issues:

1. Proposed Order must be updated to reflect the reassignment of this case to the Hon. Layne H. Melzer in Department CX102.

2. Proposed Order must be updated to reflect correct hearing date.

3. Proposed Order must provide adequate summary of settlement terms, including, but not limited to, definition of Aggrieved Employees, Released Claims, identification and Court approval of PAGA counsel, identification and Court approval of Plaintiff, identification and Court approval of settlement administrator, statement of Court's approval of proposed Notice Letter to Aggrieved Employees, statement that Court has considered all relevant factors in determining fairness of settlement, statement that Judgment is binding on all Aggrieved Employees, statement that settlement is not admission of wrongdoing by Defendants, check cashing deadline, disposition of uncashed funds, timeline for deposit of Gross Settlement Amount, timeline of delivery of Aggrieved Employee data to settlement administrator, timeline of mailing of Notice and settlement checks, information regarding date and location of Final Accounting hearing and submission of settlement administrator's final report, and statement of Court's continuing jurisdiction.

Upon resolution of these issues, the Court will grant the Motion and approve the following awards and disbursements from the Gross Settlement Amount:

- Attorneys' fees totaling \$22,020 awarded to Plaintiff's Counsel, Grochow Law, A Professional Corp.
- Litigation costs totaling \$2,390.80 awarded to Plaintiff's Counsel, Grochow Law, A Professional Corp.
- Settlement administration costs of \$3,400.00 to Atticus Administrations, LLC.
- Service Payment of \$5,000.00 awarded to Plaintiff Joan S. Walter.

PAGA penalties in the amount of \$50,865.20 shall be allocated as follows: seventy-five percent (75%), or \$38,148.90, payable to the Labor and Workforce Development Agency (LWDA), and twenty-five percent (25%), or \$12,716.30, payable to the PAGA Aggrieved Employees, in accordance with the terms of the Settlement Agreement.

The Final Accounting hearing is set for August 20, 2026, at 2:00 p.m. in Department CX102. Plaintiff's Counsel must submit the settlement administrator's final report regarding distribution of the

settlement funds at least sixteen (16) court days prior to the hearing regarding the status of the settlement administration. The final report must include all information necessary for the Court to determine the total amount actually paid to Aggrieved Employees, the number of uncashed settlement checks, and the total amount of any unclaimed funds remitted to the State Controller's Office Unclaimed Property Fund. If the unclaimed funds are not fully disbursed by the report deadline, counsel must request a continuance of the Final Accounting hearing.

Plaintiff to give notice, including to the LWDA, of this ruling, and file proof of service within five (5) calendar days of the date the Order and Judgment is entered.

A status conference is set to discuss disposition of any pending individual claims. **The Status Conference hearing is set for 01/29/2026 at 9:30 a.m. in Department CX102**

Clerk to give notice.

EXHIBIT B

GROCHOW LAW, A PROFESSIONAL CORP.

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Attorneys for Plaintiff

JOAN S. WALTER

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ORANGE

JOAN S. WALTER, an individual on behalf
of herself and the STATE OF CALIFORNIA,
as Private Attorney General,

Plaintiffs,

vs.

CAPO BEACH HEALTHCARE, LLC;
VALLEY POST-ACUTE AND REHAB,
LLC, a California Limited Liability
Company; and DOES 1 through 20, inclusive,

Defendants.

CASE NO. 30-2024-01409294-CU-WT-
CXC

*[Assigned for all purposes to Hon. Judge
Layne H. Melzer, Dept. CX102]*

**JOINT STIPULATION AND
PROPOSED ORDER REGARDING
CORRECTION TO ATTORNEYS'
FEES AMOUNT IN MINUTE ORDER
DATED OCTOBER 23, 2025 AND
APPROVAL OF PAGA
SETTLEMENT**

Complaint Filed: June 24, 2024

Trial Date:

Plaintiff Joan S. Walter ("Plaintiff") and Defendants Capo Beach Healthcare, LLC and
Valley Post-Acute and Rehab, LLC ("Defendants"), through their respective counsel of record,
hereby stipulate and agree as follows:

Plaintiff Joan S. Walter's ("Plaintiff" or "Walter") Motion for Approval of PAGA
Settlement ("Motion") came on regularly for hearing on October 23, 2025, at 2:00 p.m. in
Department CX102 of this Court, the Honorable Layne H. Melzer presiding. Plaintiff appeared
through her counsel of record, Grochow Law, A Professional Corporation. Defendants Capo
Beach Healthcare, LLC and Valley Post-Acute and Rehab, LLC ("Defendants") appeared
through their counsel of record, Jackson Lewis P.C.

1 On October 23, 2025, the Court issued a Minute Order conditionally granting Plaintiff's
2 Motion for Approval of Representative PAGA Settlement. The Minute Order references an
3 award of attorneys' fees totaling \$22,020.00 to Plaintiff's Counsel, Grochow Law, A
4 Professional Corp.

5 The Parties stipulate and agree that the amount reflected in the Minute Order for
6 attorneys' fees was inaccurate and results in a shortage of \$4,404.00 from the Gross settlement
7 amount of \$88,080.00—i.e., the total amount of the disbursements stated in the Minute Order is
8 short \$4,404.00. Pursuant to the Parties' Settlement Agreement and the motion papers submitted
9 to the Court, the correct amount of attorneys' fees approved and agreed upon by the Parties is
10 \$26,424.00. Plaintiff shall submit a proposed order reflecting this for the Court's approval.
11

12 Accordingly, the Parties jointly request that the Court correct the record to reflect that the
13 attorneys' fees award approved in connection with the PAGA Settlement is \$26,424.00,
14 consistent with the Settlement Agreement and Plaintiff's motion for approval.
15

16 IT IS SO STIPULATED.

17 Dated: October 28, 2025

GROCHOW LAW, A PROFESSIONAL CORP.



19 By: _____

20 Lauren E. Grochow
21 Daniel M. Kalinowski
22 Celine Torres
Attorneys for Plaintiff Joan S. Walter

23 Dated: October 28, 2025

JACKSON LEWIS P.C.

25 By: /s/ Leticia M. Kimble

26 Leticia M. Kimble
27 Sharlynne M. Mate
28 Attorneys for Capo Beach Healthcare,
LLC and Valley Post-Acute And
Rehab, LLC

PROPOSED ORDER

Having read and considered the Motion, the Settlement Agreement, the supporting declarations, the supplemental materials, and all matters properly before the Court, and good cause appearing therefore, the Court finds that the non-reversionary \$88,080.00 PAGA Settlement is fair, adequate, and reasonable, subject to the conditions set forth below. Accordingly, Plaintiff's Motion for Approval of Representative PAGA Settlement is GRANTED:

The Court hereby ORDERS as follows:

- a. Aggrieved Employees is Defined as: Plaintiff and all other individuals who are or were employed by Defendants and who worked at least one shift in California from July 1, 2023, through December 31, 2024.
- b. The Released PAGA Claims are Defined As: All claims alleged, or which could have been alleged, in Plaintiff's PAGA Notice and Complaint arising from alleged Labor Code violations during the PAGA Period.
- c. The PAGA Period: July 1, 2023 through December 31, 2024.
- d. The Gross Settlement Amount: \$88,080.00.
- e. Plaintiff Joan S. Walter is approved as the lead PAGA Plaintiff;
- f. Grochow Law, a Professional Corp., as approved as PAGA Counsel;
- g. Atticus Administration, LLC, is approved as the Settlement Administrator;
- h. The form and content of the Amended Notice Letter to Aggrieved Employees submitted with the Motion is approved, finding that it provides fair, adequate, and sufficient notice.
- i. The Court approves the following allocations and payments from the Gross Settlement Amount:
 - a. Attorneys' Fees: \$26,424.00 to Grochow Law, a Professional Corp.
 - b. Litigation Costs: \$2,390.80 to Grochow Law, a Professional Corp.

- c. Settlement Administration Costs: \$3,400.00 to Atticus Administration, LLC.
- d. Service Payment: \$5,000.00 to Plaintiff Joan S. Walter.
- e. PAGA Penalties: \$50,865.20 allocated as follows: 75% (\$38,148.90) to the Labor and Workforce Development Agency (LWDA); and 25% (\$12,716.30) to the Aggrieved Employees.
- j. The following shall be the timeline for implementation of the Settlement terms:
 1. Deposit of Gross Settlement Amount: Within 14 days after entry of this Order.
 2. Delivery of Aggrieved Employee Data: Within 20 days after the entry of this Order.
 3. Mailing of Notice and Settlement Checks: Within 14 days after the Gross Settlement Amount is deposited.
 4. Settlement checks shall remain valid for 180 days from issuance. Thereafter, any uncashed checks shall be void, and the funds transmitted to the California State Controller's Unclaimed Property Fund.
- k. The Court further finds that:
 1. The settlement is fair, reasonable, and adequate under PAGA.
 2. The Court has considered all relevant factors, including litigation risks, proportionality, allocation, fees, and costs.
 3. The Judgment shall be binding on all Aggrieved Employees.
 4. The Settlement does not constitute an admission of liability or wrongdoing by Defendants.
 5. The Court shall retain continuing jurisdiction over the Parties and Settlement pursuant to Code of Civil Procedure §664.6 and California Rule of Court 3.769(h).
1. The Court further ORDERS the following to be scheduled:
 6. Final Accounting Hearing: **August 20, 2026**, at **2:00** p.m., Department CX102.

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7. The Settlement Administrator’s final report shall be filed no later than 16 court days prior to the hearing.
8. Status Conference: **January 29, 2026**, at **9:30 a.m.**, Department CX102, to address the disposition of any pending individual claims.

IT IS SO ORDERED

Hon. Layne H. Melzer

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: Grochow Law, APC, 33 Brookline, Aliso Viejo, CA 92656. On the date below, I served the within documents:

NOTICE OF RULING

- ☒ **Via Electronic Transmission:** By transmitting via electronic mail the document(s) listed above to the e-mail address(es) set forth below.
- ☐ **Via Hand Delivery:** By causing the document(s) listed above to be hand delivered to the person(s) at the address(es) set forth below.
- ☐ **Via FedEx:** By placing a true copy thereof enclosed in a sealed envelope, at a station designated for collection and processing of envelopes and packages for overnight delivery by FedEx as part of the ordinary business practices of Grochow Law, a Professional Corp. addressed as set forth below.
- ☐ **Via U.S. Mail:** By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at Irvine, addressed as set forth below.

JACKSON LEWIS P.C.

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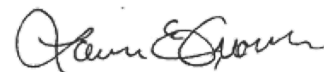
**LABOR & WORKFORCE
DEVELOPMENT AGENCY**

Electronically through
<https://dir.govfa.net/433>

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

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

Executed on **October 28, 2025** at Aliso Viejo, California.



Lauren E. Grochow