

D.LAW, INC.

Emil Davtyan (SBN 299363)
Emil@d.law
David Yeremian (SBN 226337)
d.yeremian@d.law
David Keledjian (SBN 309135)
d.keledjian@d.law
Enoch J. Kim (SBN 261146)
e.kim@d.law
Kevin Burns (SBN 352713)
k.burns@d.law
Norayr Zakaryan (SBN 356913)
n.zakaryan@d.law
450 N Brand Blvd., Ste. 840
Glendale, CA 91203
Telephone: (818) 962-6465
Facsimile: (818) 962-6469

Attorneys for Plaintiff SANDRA GERARDO,
on behalf of herself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

SANDRA GERARDO, an individual, on
behalf of herself and others similarly
situated,

Plaintiff,

v.

CONCERT HEALTH, INC., a California
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 37-2024-00015422-CU-OE-CTL

CLASS ACTION

Assigned for All Purposes To:
Hon. Evan P. Kirvin
Dept.: C-69

**NOTICE OF MOTION AND PLAINTIFF'S
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

*[Filed concurrently with Memorandum of Points
and Authorities; Declaration of Enoch J. Kim;
Declaration of Kimberly Sutherland; Declaration
of Sandra Gerardo; and and [Proposed] Order]*

Date: November 14, 2025
Time: 9:00 A.M.
Dept.: C-69

Original Complaint Filed: March 29, 2024
First Amended Complaint Filed: June 7, 2024
Trial Date: None Set

1 **TO THE COURT AND DEFENDANT AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on November 14, 2025, at 9:00 a.m. in Department C-69 of
3 the Courthouse of the San Diego County Superior Court located at Hall of Justice, 330 W
4 Broadway, San Diego, CA 92101, Plaintiff Sandra Gerardo (“Plaintiff”), on behalf of herself and
5 other similarly situated employees of Defendant Concert Health, Inc. (Plaintiff and Defendant
6 together referred to as the “Parties”), will and hereby do move this Court pursuant to California
7 Code of Civil Procedure § 382 and California Rule of Court 3.769 for an order as proposed:

8 (1) Preliminarily approving the class action settlement reached between Plaintiff and
9 Defendant, including granting preliminary approval of the following class: “all
10 persons who worked for Defendant as non-exempt employees in the State of
11 California at any time during the Class Period,” which is “the period from March 29,
12 2020, through June 11, 2025.”

13 (2) Approving the form of Notice of Class Action Settlement and procedure for notice to
14 the class; and

15 (3) Setting the final approval hearing.

16 Pursuant to Labor Code § 2699.3(b)(4), the Parties also seek approval of the proposed
17 settlement’s allocation of funds to claims made under the Labor Code Private Attorneys General
18 Act of 2004 (“PAGA”).

19 This Notice of Motion and Motion is based on the fact that this is a fair and reasonable
20 settlement that benefits the class and was the product of informed, non-collusive negotiations by
21 the parties who were represented by experienced and able counsel. *See Dunk v. Ford Motor Co.*
22 (1996) 48 Cal. App. 4th 1794, 1802; Manual for Complex Litigation (Second) (1985)§ 30.44. The
23 proposed settlement meets the legal standard for preliminary approval and is in the best interests
24 of the class; the proposed form of notice explains the settlement terms in a clear and
25 straightforward manner; the proposed procedures for notice provide the best practical notice to
26 the class; and that Class Members will have an opportunity to participate in and/or object to the
27 settlement and/or opt-out of the settlement. Defendant does not oppose the Motion.

28 This Notice of Motion and Motion is based on this Notice, and the exhibits thereto

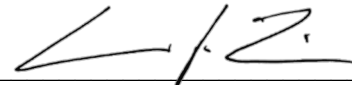
1 (including the Notice to Class Members), the accompanying Memorandum of Points and
2 Authorities, the Declaration of Enoch J. Kim, the Declaration of Kimberly Sutherland, the
3 Declaration of Sandra Gerardo, the pleadings, records and files in the case, and such other further
4 oral and documentary evidence which may be submitted at or before the hearing on this Motion.
5
6

7 Dated: October 22, 2025

Respectfully submitted,

8 D.LAW, INC.

9
10 By



11 Emil Davtyan
12 David Yeremian
13 David Keledjian
14 Enoch J. Kim
15 Kevin Burns
16 Norayr Zakaryan
17 Attorneys for Plaintiff on behalf of herself
18 and others similarly situated
19
20
21
22
23
24
25
26
27
28