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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

KASSANDRA DIAZ, an individual, on
behalf of the State of California, as a private
attorney general,

PLAINTIFF,

v.

ASCEND HEALTHCARE, LLC; CPE HR,
INC.; and DOES 1 thru 50, inclusive,

DEFENDANTS.

Case No. 24STCV13760

[Case Assigned for All Purposes to Hon. Anne
Richardson in Dept. 40]

**[PROPOSED] ORDER GRANTING
APPROVAL OF REPRESENTATIVE
ACTION SETTLEMENT**

Date: September 24, 2024

Time: 8:30 AM

Dept.: 40

Complaint Filed: June 3, 2024

Trial Date: None Set

Reservation No. 316197220348

1 **[PROPOSED] ORDER**

2 The Motion for Approval of Representative Action Settlement (“Motion”) came before this
3 Court, the Honorable Anne Richardson, presiding. The Court, having considered the papers
4 submitted in support of the motion of the parties, **HEREBY ORDERS THE FOLLOWING:**

5 Having considered Plaintiff’s Motion, and all legal authorities and documents submitted
6 in support thereof, including the PAGA Settlement Agreement (“Agreement”) attached to the
7 Szamet Declaration as Exhibit “1”, and good cause appearing, IT IS HEREBY ORDERED that
8 Plaintiff’s Motion is GRANTED, subject to the following findings and orders:

- 9 1. The Court finds the Settlement fair and reasonable.
- 10 2. The Court approves the Gross Settlement Amount of \$123,450.00
- 11 3. The Court approves the PAGA Penalties in the amount of \$71,727.12.
- 12 4. The Court approves 75% of the PAGA Penalties being allocated to the LWDA in
13 the amount of \$53,795.34.
- 14 5. The Court directs that the remaining 25% of the PAGA Penalties, in the amount
15 of \$17,931.78 shall be allocated to the Aggrieved Employees.
- 16 6. The Court approves PAGA Counsel’s request for reimbursement of case costs in
17 the amount of \$1,622.88 and attorneys’ fees in the amount of \$41,150.00.
- 18 7. The Court approves the settlement administration costs of \$3,950.00.
- 19 8. The Court approves the enhancement awards for Plaintiff, in the amount of
20 \$5,000.00, to Plaintiff KASSANDRA DIAZ.
- 21 9. Pursuant to C.C.P §664.6, the Court shall have and retain continuing jurisdiction
22 over this action and the Parties and the PAGA Members including after the entry
23 of this Order, to the fullest extent necessary to interpret, enforce and effectuate
24 the terms and intent of the Settlement Agreement and this Order.
- 25

26 **DATED:** _____

27 **JUDGE OF THE SUPERIOR COURT**

28

(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On August 19, 2024, I served all interested parties in this action the following documents described as: **[PROPOSED] ORDER GRANTING FINAL APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

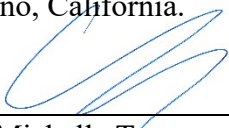
Jose-Manuel A. De Castro
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DeCastro Law Group, A Professional Corporation
7590 N. Glenoaks Blvd., Suite 201
Los Angeles, CA 91504

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 19, 2024, at Encino, California.



Michelle Tanzer