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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

JESLYN BARRIOS, and KARINA ZAYAS,
individually, and on behalf of the State of
California and other aggrieved persons,

Plaintiffs,

v.

TRI-STATE COMMUNITY HEALTHCARE
CENTER, a California corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No.: 24STCV28332

*[Assigned for All Purposes to the Hon.
Samantha Jessner, Dept. 7]*

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

Preliminary Approval Hearing:

Date: January 23, 2026

Time: 11:00 a.m.

Dept: 7

Action Filed: October 29, 2024

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[PROPOSED] ORDER

Having reviewed Plaintiffs Jeslyn Barrios and Karina Zayas’s (collectively “Plaintiffs”) Motion for Preliminary Approval of Class Action and PAGA Settlement (“Motion”), the Declaration of John G. Yslas in Support, the Declaration of Kenneth H. Yoon in Support, Plaintiffs’ declarations, and the Class Action and PAGA Settlement Agreement (“Settlement Agreement”), and good cause appearing, the Court finds and orders as follows:

1. The Court finds on a preliminary basis that the Settlement Agreement appears to be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval. The Court grants preliminary approval of the Settlement and the Settlement Class based on the terms set forth in the Settlement Agreement between Plaintiffs and Defendant Tri-State Community Healthcare Center (“Defendant”), attached to the Declaration of John G. Yslas in Support of Plaintiffs’ Motion for Preliminary Approval of Class Action and PAGA Settlement as **Exhibit 1**.

2. The Settlement falls within the range of reasonableness of a settlement which could ultimately be given final approval by this Court, and appears to be presumptively valid, subject only to any objections that may be raised at the Final Approval Hearing and final approval by this Court. The Court notes that Defendant has agreed to create a common fund of \$735,000.00 to cover (a) settlement payments to Class Members who do not validly opt out; (b) a \$50,000.00 allocation toward civil penalties under the Private Attorneys General Act, 65% of which (\$32,500.00) will be paid to the State of California, Labor & Workforce Development Agency (“LWDA”) and 35% of which (\$17,500.00) will be paid to Aggrieved Employees; (c) Class Representative Service Payments of up to \$15,000.00 to each Plaintiff (for a total of \$30,000.00); (d) Class Counsel’s attorneys’ fees, not to exceed one-third (1/3) of the Gross Settlement Amount (\$245,000.00), and up to \$35,000.00 in costs for actual litigation expenses incurred by Class Counsel; and (e) Settlement administration costs of up to \$10,000.00.

3. The Court preliminarily finds that the terms of the Settlement appear to be within the range of possible approval, pursuant to California Code of Civil Procedure § 382 and applicable law. The Court finds on a preliminary basis that: (1) the Settlement amount is fair

1 and reasonable to the Class Members when balanced against the probable outcome of further
2 litigation relating to class certification, liability and damages issues, and potential appeals; (2)
3 significant informal discovery, investigation, research, and litigation have been conducted such
4 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;
5 (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented
6 by the further prosecution of the litigation; and (4) the proposed Settlement has been reached as
7 the result of intensive, serious, and non-collusive negotiations between the Parties with the
8 assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds
9 that the Settlement Agreement was entered into in good faith.

10 4. A final fairness hearing on the question of whether the proposed Settlement,
11 attorneys' fees and costs to Class Counsel, payment to the payment to the LWDA and Aggrieved
12 Employees for their share of the settlement of claims for penalties under the PAGA, and the
13 Class Representative Service Payments should be finally approved as fair, reasonable and
14 adequate as to the members of the Class is hereby set in accordance with the Implementation
15 Schedule set forth below.

16 5. The Court provisionally certifies for settlement purposes only the following class
17 (the "Class"): "all current and former non-exempt, hourly paid employees who worked for
18 Defendant in California at any time during the Class Period."

19 6. "Class Period" means the period from May 22, 2020, through May 27, 2025.

20 7. The Court finds, for settlement purposes only, that the Settlement Class meets the
21 requirements for certification under California Code of Civil Procedure § 382 in that: (1) the
22 Settlement Class Members are so numerous that joinder is impractical; (2) there are questions
23 of law and fact that are common, or of general interest, to all Settlement Class Members, which
24 predominate over individual issues; (3) Plaintiffs' claims are typical of the claims of the
25 Settlement Class Members; (4) Plaintiffs and Class Counsel will fairly and adequately protect
26 the interests of the Settlement Class Members; and (5) a class action is superior to other
27 available methods for the fair and efficient adjudication of the controversy.

28 8. The Court appoints as Class Representatives, for settlement purposes only,

1 Plaintiffs Jeslyn Barrios and Karina Zayas. The Court further preliminarily approves Plaintiffs’
2 ability to request Class Representative Service Payments up to \$15,000.00 each.

3 9. The Court appoints, for settlement purposes only, John G. Yslas, Eugene
4 Zinovyev, John Brown, Courtney M. Miller, Lisa B. Iturriaga, and Gabriella Solé of Wilshire
5 Law Firm, PLC and Kenneth H. Yoon and Stephanie E. Yasuda of Yoon Law, APC as Class
6 Counsel. The Court further preliminarily approves Class Counsel’s ability to request attorneys’
7 fees of up to one-third of the Gross Settlement Amount (\$245,000.00), and costs not to exceed
8 \$35,000.00.

9 10. The Court appoints Phoenix Settlement Administrators, Inc. (“Phoenix”) as the
10 Settlement Administrator with reasonable administration costs estimated not to exceed
11 \$10,000.00.

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

17 12. The Parties are ordered to carry out the Settlement according to the terms of the
18 Settlement Agreement.

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

21 14. The Court orders the following Implementation Schedule:

Event	Timing
Class Data: Last day for Defendant to provide Class Data to the Administrator	14 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	45 days after Class Notice is mailed out by

Members to submit written objections, challenges to workweeks and/or pay periods, and requests for exclusion	the Administrator (with an additional 14 days for Class Members whose Class Notice was mailed)
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. 7

15. 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. SAMANTHA JESSNER
JUDGE OF THE SUPERIOR COURT