

1 **JUSTICE FOR WORKERS, P.C.**

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and SHOGHIG PILILIAN

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF LOS ANGELES**

12 EDUARDO JOSE PAIZ and SHOGHIG
13 PILILIAN, individuals and on behalf of all
others similarly situated;

14 Plaintiffs,

15 vs.

16 EMANATE HEALTH, a California non-profit
corporation; and DOES 1 through 50,

17 Defendants.
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Case No.: 24STCV21209

[Assigned for All Purposes to:
Hon. Laura A. Seigle, Dept. 17]

**PLAINTIFF'S SUPPLEMENTAL BRIEF
IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

(Filed concurrently with Supplemental
Declaration of William C. Sung and
[Amended Proposed] Order)

DATE: May 21, 2026

TIME: 9:00 a.m.

DEPT: 17

Action Filed: August 20, 2024

Trial Date: Not Set

1 TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
2 RECORD:

3 Plaintiffs Eduardo Jose Paiz and Shoghig Pililian (“Plaintiffs”) hereby submit the
4 Supplemental Brief in Support of Plaintiffs’ Motion for Preliminary Approval of Class Action and
5 PAGA Settlement (“Preliminary Approval Motion”), which addresses each of the Court’s questions
6 and comments in its tentative ruling issued for the May 6, 2025 hearing on the Preliminary
7 Approval Motion.

8 *1. At the hearing be prepared to state whether the escalator clause has been triggered.*

9 The Escalator Clause has been triggered, Defendant has elected to roll back the Class Period
10 and PAGA Period, and Defendant’s election was reflected in the Preliminary Approval Motion and
11 Proposed Order filed concurrently therewith. Specifically, “Defendant has verified the number of
12 Workweeks and has exercised the option to end the Class Period and PAGA Periods on January 24,
13 2026 where the total number of Workweeks through that date was 402,178 Workweeks; thus, the
14 applicable Class Period is July 21, 2023 through January 24, 2026 and the applicable PAGA Period
15 is August 20, 2023 through January 24, 2026. Agreement, §§ 1.12, 1.31, 8; Sung Decl., ¶¶ 27-28.”
16 Preliminary Approval Motion at 8:23-27; Supplemental Declaration of William C. Sung (“Supp
17 Sung Decl.”), ¶¶ 2-3.

18 *2. The class release at paragraph 5.2 of the settlement agreement should be limited to the*
19 *operative complaint, not the PAGA notices.*

20 The Parties have revised the Release Class Claims accordingly in the Amended Class Action
21 and PAGA Settlement Agreement and Class Notice (“Executed Amended Agreement”) and
22 concurrently submit a redline version of the Amended Class Action and PAGA Settlement
23 Agreement and Class Notice (“Redlined Amended Agreement”) to the Court. Supp. Sung Decl., ¶ 4,
24 Exh. 1 (Executed Amended Agreement), Exh. 2 (Redlined Amended Agreement).

25 *3. The PAGA release at paragraph 5.3 should be limited to claims in the operative*
26 *complaint and PAGA notices.*

27 The Parties have revised the Release PAGA Claims accordingly in the Amended Class
28 Action and PAGA Settlement Agreement and Class Notice (“Executed Amended Agreement”) and

1 concurrently submit a redline version of the Amended Class Action and PAGA Settlement
2 Agreement and Class Notice (“Redlined Amended Agreement”) to the Court. Supp. Sung Decl., ¶ 4,
3 Exh. 1 (Executed Amended Agreement), Exh. 2 (Redlined Amended Agreement).

4 *4. The settlement agreement at paragraph 4.3 regarding the timeline for funding the*
5 *settlement (74 days) is inconsistent with the notice at section 3.1 (14 days). Revise to*
6 *make it consistent.*

7 The Parties believe that the funding provisions in the Agreement and the Class Notice are
8 consistent. Specifically, the Executed Amended Agreement, § 1.19 defines “Effective Date” to
9 mean “either (a) the date sixty (60) calendar days after entry of the Final Judgment and Order
10 Approving Settlement, if no motions for reconsideration and no appeals or other efforts to obtain
11 review have been filed,” Defendant is to fund the settlement “no later than 14 days after the
12 Effective Date.” Executed Amended Agreement, § 4.3. Thus, 60 days plus 14 days equal 74 days.
13 The Notice at § 3.1 states: “Defendant will fund the Gross Settlement Amount not more than 74
14 days after the Judgment entered by the Court becomes final. The Judgment will be final on the date
15 the Court enters Judgment, or a later date if Participating Class Members object to the proposed
16 Settlement or the Judgment is appealed.” Thus, the Parties respectfully submit that the statement in
17 the Notice providing that the Gross Settlement Amount will be funded no more than 74 days after
18 the Judgment entered by the Court becomes final is an accurate, layperson’s interpretation of the
19 timeline for funding.

20 Respectfully submitted,

21 DATED: May 13, 2026

JUSTICE FOR WORKERS, P.C.

22
23 By: 

24 William C. Sung
25 Tiffany L. Luu
26 Joseph C. Ramli
27 Attorneys for Plaintiffs EDUARDO JOSE PAIZ
28 and SHOGHIG PILILIAN