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Attorneys for Defendant

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

TRACY LOVELESS, individually, and on behalf
of other members of the general public similarly
situated,

Plaintiff,

v.

ESSENTIAL BEHAVIORAL SUPPORT, INC., a
California corporation; and DOES 1 through 10,
inclusive,

Defendants.

Case No. 24CV447769

*[Assigned for all purposes to the Hon. Theodore
C. Zayner, Dept. 19]*

**STIPULATION TO AMEND ORDER
GRANTING PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Complaint filed: September 20, 2024
FAC filed: December 6, 2024

Preliminary Approval Granted: July 29, 2026

1 Plaintiff Tracy Loveless (“Plaintiff”) and Defendant Essential Behavioral Support, Inc.
2 (“Defendant”), by and through their respective counsel, agree and stipulate, subject to the Court’s
3 approval, to amend the duration of the Class and PAGA Periods and related provisions set forth in the
4 Court’s July 29, 2026 Order to reflect Defendant’s election under Section 7 of the Parties’ Class Action
5 and PAGA Settlement Agreement (“Agreement”).

6 RECITALS

7 WHEREAS, Section 7 of the Agreement, the “Escalator Clause,” provides that, if the total
8 workweeks exceed 26,400 by more than 15% (i.e., 30,360) and if the total pay periods exceed 5,508 by
9 more than 15% (i.e., 6,335), Defendant may elect either to (1) increase the Gross Settlement Amount
10 proportional to the percentage increase, or (2) shorten the Class Period and/or PAGA Period to end on
11 the date the increase would otherwise be triggered. *See* Declaration of Norma Ayala (“Ayala Decl.”) ¶ 3;

12 WHEREAS, on or around July 31, 2026, Defendant notified Plaintiff that the escalator had been
13 triggered and it elected to shorten the release period pursuant to Section 7;

14 WHEREAS, on or around August 18, 2026, the Administrator reviewed the Class Data and
15 confirmed that 461 Class Members worked a total of 30,345 workweeks through December 29, 2025,
16 and 292 Aggrieved employees worked a total of 6,303 pay periods through September 16, 2025. *See*
17 Ayala Decl. ¶¶ 4-6;

18 WHEREAS, Defendant elected to shorten the release period, such that the Class Period is now
19 September 20, 2020, through December 29, 2025, and the PAGA Period is now September 20, 2023,
20 through September 16, 2025. *See* Ayala Decl. ¶ 7;

21 WHEREAS, on July 29, 2026, the Court granted Plaintiff’s Motion for Preliminary Approval of
22 Class Action and PAGA Settlement and issued an Order Granting Preliminary Approval (“Order”);

23 WHEREAS, the final Response Deadline with respect to requests for exclusion and objections is
24 November 23, 2026, the earliest date on which the hearing for Final Approval may be set is December
25 21, 2026, and Defendant has already funded the Gross Settlement Amount; and

26 WHEREAS, having met and conferred in good faith, the Parties seek to amend the Order to
27 conform to Defendant’s election and the validated data and set a new hearing date for Final Approval,
28 subject to the Court’s availability. The proposed Class Notice will be revised accordingly.

NOW, THEREFORE, the Parties agree and stipulate, subject to the Court's approval:

1. **Amendment to Class Period.** Paragraph 5 of the Order shall be amended as follows:

"For settlement purposes, the Court provisionally certifies the Class defined as All current and former hourly, non-exempt employees employed by Defendant in the State of California during the Class Period from September 20, 2020, through December 29, 2025 ("Class Members")."

2. **Amendment to PAGA Period:** Paragraph 15 of the Order shall be amended as follows:

"For settlement purposes, 'Aggrieved Employees' means all Class Members who worked for Defendant in California during the PAGA Period from September 20, 2023, through September 16, 2025."

3. **Final Approval Hearing Date.** The hearing date for Final Approval, now set for March 3, 2027, at 1:30 p.m., shall be vacated and set for January 13, 2026, or a different date before March 3, 2027, that is convenient for the Court.

IT IS SO STIPULATED.

Dated: September 17, 2026

WILSHIRE LAW FIRM



Tyler J. Woods

James Yoo

Heriberto Ponce

Ruby Carrera

Karen L. Wallace

Attorneys for Plaintiff

Dated: September 17, 2026

FOLSOM JACKSON

/s/ Jonathan Riddell

Caroline M. Colangelo

Jonathan Riddell

Attorneys for Defendant

1 **[PROPOSED] ORDER**

2 Having reviewed the Parties Stipulation and the Declaration of Norma Ayala in support thereof,
3 for good cause shown, the Court approves the amendments to the July 29, 2026 Order Granting
4 Preliminary Approval of Plaintiff's Motion for Preliminary Approval of Class Action and PAGA
5 Settlement and **ORDERS** as follows:

6 1. Paragraph 5 of the Order shall state:

7 "For settlement purposes, the Court provisionally certifies the Class defined as All
8 current and former hourly, non-exempt employees employed by Defendant in the State of
9 California during the Class Period from September 20, 2020, through December 29, 2025
10 ("Class Members")."

11 2. Paragraph 15 of the Order shall state:

12 "For settlement purposes, 'Aggrieved Employees' means all Class Members who worked
13 for Defendant in California during the PAGA Period from September 20, 2023, through
14 September 16, 2025."

15 3. The hearing date for Final Approval, now set for March 3, 2027, at 1:30 p.m., shall be
16 vacated and set for January 13, 2026, or _____, at
17 _____ a.m./p.m. in Department 5.

18 4. _____
19 _____
20 _____
21 _____.

22
23 **IT IS SO ORDERED.**

24
25 Dated: _____

26 Hon. Theodore C. Zayner
27 Judge of the Superior Court
28

PROOF OF SERVICE

Loveless v. Essential Behavioral Support, Inc.
24CV447769

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, Dariane Rose, state that I am employed in Los Angeles County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 660 S. Figueroa Street, Sky Lobby, Los Angeles, California, 90017. My electronic service address is dariane.rose@wilshirelawfirm.com.

On September 17, 2026, I served the foregoing **STIPULATION TO AMEND ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

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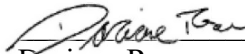
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(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

Executed on September 17, 2026, at Los Angeles, California.


Dariane Rose