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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF CONTRA COSTA

KRISTINA MURDOCK, NOEL
HUDSON, and ALEXANDRA SOTO on
behalf of themselves and on behalf of all
persons similarly situated,

Plaintiffs,

vs.

ASPEN SURGERY CENTER, LLC, a
Limited Liability Company; SURGERY
PARTNERS, INC., a Corporation; and
DOES 1 through 50, inclusive,

Defendants.

CASE No. **MSC21-02047**

[Consolidated with Case No. MSC21-02137]

**NOTICE OF MOTION AND MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT AND AWARD OF
ATTORNEYS' FEES, COSTS AND
SERVICE AWARDS**

Hearing Date: August 22, 2024

Hearing Time: 9:00 a.m.

[Hearing scheduled by Order dated April 9,
2024]

Judge: Hon. Charles S. Treat
Dept.: 12

Action Filed: October 1, 2021

Trial Date: Not set

1 **TO ALL THE PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 YOU ARE HEREBY NOTIFIED THAT at 9:00 a.m. on August 22, 2024, or as soon
3 thereafter as the matter can be heard Department 12 at the above-entitled Court before the
4 Honorable Charles S. Treat, Plaintiffs Kristina Murdock, Noel Hudson and Alexandra Soto
5 (“Plaintiffs”) will move for an order granting (1) Final Approval of the Class Action Settlement,
6 including approval of the attorneys’ fees, costs and service awards, and (2) Entry of the Final
7 Approval Order and the Judgment.

8 This motion is brought in accordance with the Order dated April 9, 2024, and California
9 Rules of Court, rule 3.769. This Motion will be based on this notice, the accompanying points
10 and authorities, the Declaration of Norman Blumenthal, the Class Action and PAGA Settlement
11 Agreement (the “Agreement”), the Declaration of Nicole Bench (the Administrator), the
12 Declarations of Plaintiffs Kristina Murdock, Noel Hudson and Alexandra Soto, and the
13 complete files and records in this action.

14 Because Plaintiffs and Defendants Aspen Surgery Center, LLC and Surgery Partners,
15 Inc. (“Defendants”) have agreed to the proposed class settlement and have met and conferred
16 regarding the motion, this motion is not opposed. There have been no objections submitted by
17 the Class.

18 Respectfully submitted,

19 Dated: July 31, 2024

**BLUMENTHAL NORDREHAUG BHOWMIK
DE BLOUW LLP**

20 By: /s/ Kyle Nordrehaug
21 Kyle R. Nordrehaug, Esq.
22 Attorneys for Plaintiffs
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