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Attorneys for PENNY A. SCOTT, on behalf of herself
and other similarly-situated employees

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

PENNY A. SCOTT, on behalf of
herself and other similarly-situated
employees,

Plaintiff,

v.

BLACKSTONE CONSULTING,
INC., a California Corporation; and
DOES 1 Through 10, inclusive,

Defendants.

CASE NO. 21CV1470 MMA (KSC)

CLASS ACTION

**NOTICE OF MOTION AND
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: July 10, 2023

Time: 2:30 p.m.

Judge: Michael M. Anello

Ctrm.: 3D (3rd Floor)

Complaint filed: May 21, 2021

Removal Date: August 18, 2021

Trial date: Not set

PLEASE TAKE NOTICE that on July 10, 2023 at 2:30 p.m., or as soon as the matter may be heard in Courtroom 3D (3rd Floor) of the above-captioned court, located at 221 West Broadway, San Diego, CA 92101, the Honorable Michael M. Anello presiding, Plaintiff Penny A. Scott, on behalf of herself and all others similarly situated, will move this Court for an Order:

1. Preliminarily approving the proposed class action and Private Attorneys' General Act "(PAGA)" Settlement as fair, adequate, and reasonable based on the terms of the Class Action and PAGA Settlement Agreement ("Settlement Agreement"), attached as Exhibit 1 to the Declaration of Isam C. Khoury, including the payment by Defendant Blackstone Consulting, Inc. ("Defendant") of the \$1,000,000 Maximum Settlement Amount;

2. Conditionally certifying the Class defined as all individuals who are or previously were employed by Defendant in California as non-exempt employees working at Kaiser Permanente facilities and hospitals in California at any time during the Class Period of May 21, 2017 to April 30, 2023.

3. Approving distribution of the proposed Notice of Settlement, attached as Exhibit A to the Settlement Agreement;

4. Appointing Plaintiffs Penny A. Scott, Kawana Anderson, Tiffany Lockett, Ahmir Ringo, and Tocashema Williams as class representatives;

5. Appointing Cohelan Khoury & Singer, Diversity Law Group, PC, and Lawyers for Justice, PC as class counsel;

6. Appointing CPT Group, Inc. as the Settlement Administrator;

7. Setting a fairness hearing to consider Final Approval of the Settlement; and

8. Setting a hearing date and briefing schedule to consider Plaintiff's Motion for Order Granting Final Approval of Class Action Settlement which includes Plaintiff's request for an award of attorneys' fees, litigation costs, Class Representative service payments, Settlement Administrator's expenses, and

1 payment to the California's Labor and Workforce Development Agency of
2 Private Attorneys General Act ("PAGA") penalties.

3 This motion is made on the grounds that Plaintiffs and Defendant have
4 executed the Settlement Agreement, which they believe to be fair, reasonable and
5 adequate, and in the best interests of the Class.

6 This Motion is based upon this Notice of Motion and Motion; the
7 Memorandum of Points and Authorities; Declarations of Class Counsel Isam C.
8 Khoury, Max W. Gavron, and Joanna Ghosh; Declaration of Plaintiffs Penny A.
9 Scott, Tiffany Lockett, Tocashema Williams, Ahmir Ringo, and Kawana
10 Anderson; Declaration of Julie Green on behalf of CPT Group, Inc.; the proposed
11 Settlement Agreement; the [Proposed] Order Granting Preliminary Approval of
12 Class Action Settlement; the Court's files in this matter; and any other documents
13 or evidence which the Court may consider when ruling on this motion for an
14 order granting preliminary approval.

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16 COHELAN KHOURY & SINGER

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18 Dated: May 17, 2023

By: s/Rosemary C. Khoury

Michael D. Singer, Esq.

Isam C. Khoury, Esq.

Rosemary C. Khoury, Esq.

Counsel for Plaintiff PENNY A. SCOTT,
on behalf of herself and other similarly-
situated employees