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FILED
Superior Court of California
County of Los Angeles

05/12/2022

Sherri R. Carter, Executive Officer / Clerk of Court

By: M. Fregoso Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – CENTRAL

JENNIFER DIAZ AND JASMINE
JONES, individuals, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

vs.

THE ENSIGN GROUP, INC., a
Delaware Corporation; ATLANTIC
MEMORIAL HEALTHCARE
ASSOCIATES, INC., a Nevada
Corporation; and DOES 1-50, inclusive

Defendants.

Case No.: 19STCV21041
[Assigned for all purposes to the
Hon. Elihu M. Berle, Dept. 6]

CLASS ACTION

**~~[PROPOSED]~~ ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: May 10, 2022
Time: 1:30 p.m.
Dept: 6

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This matter came for hearing before this Court, the Honorable Elihu M. Berle presiding, on May 10, 2022 at 1:30 p.m., upon Plaintiffs’ unopposed motion for final approval of the settlement set forth in the Class Action Settlement and Release of Claims (the “Settlement Agreement”). The Court having granted final approval to the Settlement Agreement, hereby finds and orders as follows:

1. The Settlement Agreement shall be enforced according to its terms.
2. The Court certifies the class for purposes of settlement.
3. This Court finds that the applicable requirements of the California Code of Civil Procedure § 382 have been satisfied with respect to the Settlement Class and the proposed settlement. The Court hereby makes final its earlier provisional certification of the plaintiff class, as set forth in the Preliminary Approval Order. The Court finds that the settlement is fair, adequate, and reasonable, and falls within the range of reasonableness.
4. The notice given to the Class Members fully and accurately informed the Class Members of all material elements of the proposed Settlement and of their opportunity to object or comment thereon; was the best notice practicable under the circumstances; was valid, due and sufficient notice to all Class Members; and complied fully with the laws of the State of California, Federal Rules of Civil Procedure, the United States Constitution, due process and other applicable law. The summary notices fairly and adequately described the Settlement and provided Class Members adequate instructions and a variety of means to obtain additional information. A full opportunity has been afforded to the Class Members to participate in this hearing, and all Class Members and other persons wishing to be heard have been heard. Accordingly, the Court determines that all Settlement Class Members (as defined in the Settlement Agreement) who did not timely and properly execute a Request for Exclusion are bound by this order and resulting Judgment.
5. The Court finds that 0 of the 240 Class Members have objected to the Settlement and 0 Class Members have requested exclusion from the Settlement. The 240

1 Participating Class Members will be paid from a net settlement amount of \$145,500.00 and an
2 Aggrieved Employees PAGA Amount of \$2,500.

3 6. The Court finds that the Stipulation was the product of arm's length
4 negotiations between experienced counsel. After considering Defendants' potential exposure, the
5 likelihood of success on the class claims, the risk, expense, complexity and delay associated with
6 further litigation, the risk of maintaining class certification through trial, the experience and views
7 of Plaintiffs' Counsel, and the reaction of the Class to the Settlement, as well as other relevant
8 factors, the Court finds that the settlement is fair, reasonable, and adequate, and in the best interests
9 of the Settlement Class as a whole. Accordingly, the Court hereby grants final approval to the
10 Settlement and hereby directs that the Settlement be effected in accordance with the Settlement
11 Agreement and the following terms and conditions.

12 7. Class Counsel is awarded \$100,000 in attorney fees and \$23,105.95 in actual
13 costs;

14 8. Plaintiffs are awarded an enhancement payment of \$5,000.00 each;

15 9. The claims administrator, CPT Group, Inc., is awarded \$15,000.00 in costs;

16 10. Payment of \$7,500.00 (75% of \$10,000 PAGA penalty) to the LWDA is
17 approved;

18 11. Class counsel, via CPT Group, Inc., is to provide notice to the class members
19 pursuant to California Rules of Court, rule 3.771(b) and section 3.06(j) of the Settlement
20 Agreement.

21 The Court also hereby orders Class Counsel to file a final report summarizing all
22 distributions made pursuant to the approved settlement, supported by declaration.

23 As a condition of final approval, the claims administrator should not make reports to the
24 IRS about settlement payments of class members who did not cash checks.

25 The Court reserves exclusive and continuing jurisdiction over the Litigation, the Class
26 Representatives Jennifer Diaz and Jasmine Jones, the Settlement Class and Defendants The Ensign
27 Group, INC. and Atlantic Memorial Healthcare Associates, INC. ("Defendants"), for the purposes
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of supervising the implementation, enforcement, construction, administration and interpretation of the Stipulation and this Order and the Final Judgment.

The Court sets ~~a non-appearance date for submission of a final report on January 13, 2023.~~

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IT IS SO ORDERED.



Elihu M. Berle

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Dated: _____

Elihu M. Berle / Judge

HON. ELIHU M. BERLE COURT
JUDGE OF THE SUPERIOR COURT

PROOF OF SERVICE

Case No. 19STCV21041

Diaz et al. v. The Ensign Group, Inc., et al.

I, NAZO KOULLOUKIAN declare that I am a resident of or employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the entitled case. The name and address of my residence or business is KOUL LAW FIRM, 3435 Wilshire Blvd. Ste. 1710, Los Angeles, California 90010.

On May 10, 2022, I served the foregoing document described as:

[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT

_____ by placing the document(s) listed above in a sealed envelope, addressed as set forth below, and placing the envelope for collection and mailing in the place designated for such in our offices, following ordinary business practices.

 X by transmitting via electronic mail the document(s) listed above to the electronic mailing address set forth below on this date before 5:00PM.

_____ by causing a true copy thereof to be personally delivered to the person(s) at the address(es) set forth below.

 X Via CaseAnywhere.

on the parties listed below by placing a true copy thereof enclosed in a sealed envelope for collection and mailing in the United States Postal Service following ordinary business practices at Los Angeles, California addressed as follows:

SEE ATTACHED SERVICE LIST

I am readily familiar with the ordinary practice of the business of collecting, processing and depositing correspondence in the United States Postal Service and that the correspondence will be deposited the same day with postage thereon fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this May 10, 2022, in Los Angeles, California.



NAZO KOULLOUKIAN

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PROOF OF SERVICE
Case No. 19STCV21041
Diaz et al. v. The Ensign Group, Inc., et al.

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**Attorneys for Defendants, THE ENSIGN GROUP, INC. and ATLANTIC MEMORIAL
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