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8 *Attorney for Plaintiff Alicia Ranillo*

**ENDORSED  
FILED**

**JUN 11 2019**

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA**

9 **SUPERIOR COURT OF CALIFORNIA**  
10 **COUNTY OF SONOMA**

11 ALICIA RANILLO, individually and on behalf  
12 of all others similarly situated,

13 Plaintiffs,

14 v.

15 ENSIGN SONOMA LLC, a California limited  
16 liability company, and DOE 1 through and  
including DOE 100,

17 Defendants.

Case No. SCV-258369

**SUPPLEMENTAL DECLARATION OF  
DAVID HARRIS IN SUPPORT OF  
PLAINTIFF'S UNOPPOSED MOTION FOR  
FINAL APPROVAL OF CLASS-ACTION  
SETTLEMENT AND MOTION FOR  
ATTORNEYS' FEES, COSTS, AND AN  
ENHANCEMENT AWARD**

*Assigned to Hon. Patrick M. Broderick*

Date: June 14, 2019

Time: 9:00 a.m.

Place: Sonoma County Superior Court,  
Courtroom 16, 3035 Cleveland Avenue, Santa  
Rosa, California 95403

1           **David Harris** declares, under penalty of perjury of the laws of the United States and the State of  
2 California, as follows:

3           1.       I am a member in good standing of the State Bar of California and am the attorney for  
4 Plaintiff Alicia Ranillo in the within action. If sworn as a witness, I could competently testify to each  
5 and every fact set forth herein from my own personal knowledge.

6           2.       I make this Declaration to provide the Court with updated claims-administration statistics  
7 for the class-wide Settlement reached in this action with Defendant Ensign Sonoma LLC.<sup>1</sup>

8           3.       As set forth in the Motion for Final Approval of Class-Action Settlement filed on May  
9 31, 2019, the Exclusion/Objection Deadline Date for submitting objections to, and exclusion requests  
10 for, the Settlement was May 20, 2019, which is 45 calendar days from mailing by the Settlement  
11 Administrator of the Notice Packets. (Mem. of P. & A. in Supp. of Mot. for Final Approval of Class-  
12 Action Settlement at 1 n.3.) As further set forth in the Settlement Agreement, however, the Final  
13 Exclusion/Objection Deadline Date, as set forth in paragraph II(6) of the Settlement Agreement, “shall  
14 be 45 days from the date of mailing of *re-mailed notices*, or 90 days from the date of the original  
15 mailing, *whichever occurs first*.” (emphasis added.) As set forth in the Supplemental Declaration of  
16 Daniel P. La with respect to Notification and Settlement Administration (“Supplemental La  
17 Declaration”), a true and correct copy of which is attached hereto as **Exhibit 1**, a total of seventeen (17)  
18 Notice Packets were re-mailed by the Claims Administrator. Of those 17 re-mailed Notice Packets,  
19 three Class Members now have a final response deadline of July 3, 2019, which is 90 days from the date  
20 of the original mailing (these three Class Members’ Notice Packets were re-mailed on or after May 20,  
21 2019, which then extends these three Class Members’ final response deadline to July 3, 2019).  
22 (Supplemental La Dec. ¶¶ 4–5.) As of June 11, 2019—the date of the Supplemental La Declaration—  
23 the Claims Administrator had not received any objections to the Settlement, and had received a total of  
24 two (2) written requests for exclusion from the Settlement. (Supplemental La Dec. ¶¶ 7–8.)

25           4.       Pursuant to this Court’s March 15, 2019 Order Granting Conditional Certification and  
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27           <sup>1</sup> Capitalized terms used herein have the meanings set forth in the Joint Stipulation of Class Action  
28 Settlement, attached as Exhibit 1 to the May 31, 2019, Declaration of David Harris in Support of  
Plaintiff’s Unopposed Motion for Final Approval of Class-Action Settlement and Motion for Attorneys’  
Fees, Costs, and an Enhancement Award.

1 Preliminary Approval of Class-Action Settlement (“Preliminary Approval Order”), on April 3, 2019, I  
2 provided a copy of the Preliminary Approval Order, along with the date, time and location of the hearing  
3 on final approval, to the California Labor and Workforce Development Agency (“LWDA”), by  
4 uploading these documents and information to the LWDA website. Additionally, on June 2, 2019, I  
5 provided to the LWDA through its website a copy of the Motion for Final Approval; the Motion for  
6 Award of Attorneys’ Fees, Reimbursement of Costs, and Incentive Award; and the Declarations of  
7 David Harris, Alicia Ranillo, and Daniel La in support of those Motions. A true and correct copy of the  
8 online-submission confirmations are attached hereto as **Exhibit 2**. To date, the LWDA has never raised  
9 any concern whatsoever about the Settlement to my office or to the Claims Administrator.

10 5. In light of the fact that three Class Members have a final response deadline of July 3,  
11 2019, the parties have met and conferred and propose to have the Claims Administrator file a  
12 supplemental declaration with the Court one week after their July 3, 2019 final response deadline, so to  
13 confirm whether any of these three Class Members submitted timely requests for exclusion and/or  
14 objections to the Settlement. Thereafter, the Court can enter a final order and judgment regarding the  
15 proposed class Settlement.

16 6. After meeting and conferring, counsel for Plaintiff intends to appear in person at the  
17 hearing on Friday, June 11, 2019, and counsel for Defendant shall appear by CourtCall. At that time,  
18 the parties’ counsel can answer any questions the Court may have regarding this extended Final  
19 Exclusion/Objection Deadline Date, as well as any other questions the Court may have for the parties.

20 I have read the foregoing, and I declare, under penalty of perjury of the laws of the United States  
21 and the State of California, that the foregoing is true and correct. Executed on June 11, 2019, in the  
22 County of Marin, State of California.

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25 David Harris  
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# ***EXHIBIT 1***

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SONOMA**

ALICIA RANILLO, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

ENSIGN SONOMA, LLC., a California limited  
liability company, and DOES 1 through and  
including DOE 100,

Defendants.

**Case No.: SCV258369**

*Assigned to the Hon. Patrick M. Broderick*

**SUPPLEMENTAL DECLARATION OF  
DANIEL P. LA WITH RESPECT TO  
NOTIFICATION AND SETTLEMENT  
ADMINISTRATION**

DATE: June 14, 2019  
TIME: 9:00 a.m.  
DEPT.: 16

1 I, Daniel P. La, declare as follows:

2 1. I am a Case Manager for CPT Group, Inc. ("CPT"), the Court-approved class action  
3 Settlement Administrator for *Ranillo v. Ensign Sonoma LLC*. I have personal knowledge of the facts  
4 set forth in this declaration and, if called upon to testify, I could and would testify competently to such  
5 facts.

6 2. I submit this Supplemental Declaration to update my prior Declaration, dated May 30,  
7 2019.

8 3. As of the date of this declaration, twenty (20) Notice Packets were returned to our  
9 office by the U.S. Post Office, for which two (2) new addresses were provided by the Post Office and  
10 re-mailed by CPT. For the remaining eighteen (18) Notice Packets, CPT performed a Skip Trace to  
11 locate a better address using Accurint, one of the of the most comprehensive address databases  
12 available. It utilizes hundreds of different databases supplied by credit reporting agencies, public  
13 records and a variety of other national databases.

14 4. As a result of either Skip Trace, or request from Counsel or Class Members, a total of  
15 seventeen (17) Notice Packets have been re-mailed to date. As of the date of this declaration, CPT  
16 reports a total of three (3) undeliverable Notice Packets, as no better address was provided from the  
17 Post Office nor obtained through Skip Trace.

18 5. The Exclusion/Objection Deadline Date was 45 calendar days from the mailing, May  
19 20, 2019. Pursuant to the terms of the Settlement, the Final Exclusion/Objection Deadline Date is 45  
20 days from the date of the mailing of re-mailed notices, or 90 days from the date of the original  
21 mailing, whichever occurs first. Of the seventeen (17) Notice Packets re-mailed, three (3) Class  
22 Members have a final response deadline of July 3, 2019 (90 days from the date of the original  
23 mailing). As such, any potential objection or request for exclusion from those Class Members must be  
24 postmarked no later than July 3, 2019.

25 6. As of the date of this declaration, CPT has not received any Class Member disputes.

26 7. As of the date of this declaration, CPT has not received any objections to the  
27 Settlement.

1 8. As of the date of this declaration, CPT has received two (2) written requests for  
2 exclusion from the Settlement. Therefore, CPT will report that a total of one hundred eighty (180)  
3 Participating Class Members will be issued a Settlement Payment, which represents a 98.90%  
4 participation rate.

5 9. Pursuant to the Settlement Agreement, the entire Net Settlement Fund was used to  
6 calculate the Settlement Payment amount for each Participating Class Member. The Net Settlement  
7 Fund is calculated as set forth below:

8	<b>Gross Settlement Fund</b>	<b>\$135,000.00</b>
9	Less Attorneys' Fees (Requested)	-\$45,000.00
10	Less Attorneys' Costs (Requested)	-\$6,000.00
11	Less Service Award to Plaintiff (Requested)	-\$5,000.00
12	Less Settlement Administration Costs	-\$8,000.00
13	<u>Less PAGA Penalties to the LWDA</u>	<u>-\$1,875.00</u>
14	<b>Net Settlement Fund</b>	<b>\$69,125.00</b>

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17 10. As of the date of this declaration, the average Settlement Payment amount is estimated  
18 to be \$384.03 and the highest is estimated to be \$1,047.91, prior to the deduction of employee-sided  
19 taxes.

20 I declare under penalty of perjury under the laws of the State of California that the foregoing  
21 is true and correct and that this declaration is executed this 11<sup>th</sup> day of June, 2019, at Irvine,  
22 California.

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27 Daniel P. La  
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# ***EXHIBIT 2***



**David S. Harris**

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**From:** FormAssembly <no-reply@formassembly.com> on behalf of DIR PAGA Unit  
<lwdadonotreply@dir.ca.gov>  
**Sent:** Wednesday, April 3, 2019 4:11 PM  
**To:** dsh@northbaylawgroup.com  
**Subject:** Thank you for your Proposed Settlement Submission

04/03/2019 04:11:20 PM

Thank you for your submission to the Labor and Workforce Development Agency.

Item submitted: Proposed Settlement

If you have questions or concerns regarding this submission or your case, please send an email to [pagainfo@dir.ca.gov](mailto:pagainfo@dir.ca.gov).

DIR PAGA Unit on behalf of  
Labor and Workforce Development Agency

Website: [http://labor.ca.gov/Private\\_Attorneys\\_General\\_Act.htm](http://labor.ca.gov/Private_Attorneys_General_Act.htm)

**David S. Harris**

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**From:** FormAssembly <no-reply@formassembly.com> on behalf of DIR PAGA Unit <lwdadonotreply@dir.ca.gov>  
**Sent:** Sunday, June 2, 2019 2:14 PM  
**To:** dsh@northbaylawgroup.com  
**Subject:** Thank you for your Proposed Settlement Submission

06/02/2019 02:13:23 PM

Thank you for your submission to the Labor and Workforce Development Agency.

Item submitted: Proposed Settlement

If you have questions or concerns regarding this submission or your case, please send an email to [pagainfo@dir.ca.gov](mailto:pagainfo@dir.ca.gov).

DIR PAGA Unit on behalf of  
Labor and Workforce Development Agency

Website: [http://labor.ca.gov/Private\\_Attorneys\\_General\\_Act.htm](http://labor.ca.gov/Private_Attorneys_General_Act.htm)

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**PROOF OF SERVICE**

I declare under the penalty of perjury that I, J. Michael Solano, am a citizen of the United States and I am employed in the County of Marin. I am over the age of eighteen years and not a party to the within action. My business address is 116 E. Blithedale Avenue, Suite No. 2, Mill Valley, CA 94941.

On the date below, I caused the following documents:

**SUPPLEMENTAL DECLARATION OF DAVID HARRIS IN SUPPORT OF PLAINTIFF'S UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS-ACTION SETTLEMENT AND MOTION FOR ATTORNEYS' FEES, COSTS, AND AN ENHANCEMENT AWARD**

to be served on the interested party in said action, who is:

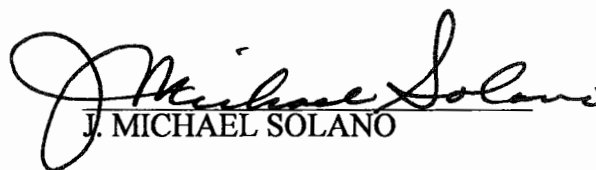
Julie R. Trotter  
Delavan J. Dickson  
CALL & JENSEN  
A Professional Corporation  
610 Newport Center Drive, Suite 700  
Newport Beach, CA 92660

*Attorneys for Defendant Ensign Sonoma LLC*

**[X] BY UNITED STATES MAIL**

I placed a true and correct copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mill Valley, California, addressed to the parties as set forth above. CCP Sections 1013(a), 2015.5.

I declare under the penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed on June 11, 2019 at Mill Valley, California.

  
J. MICHAEL SOLANO