

CLASS NOTICE

Superior Court of California, County of Los Angeles

Danelian v. Medix Staffing Solutions, Inc., City of Hope National Medical Center, City of Hope Case No. BC649846

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

YOU MAY BE ENTITLED TO RECEIVE MONEY FROM A CLASS ACTION SETTLEMENT IF YOU ARE OR WERE AN EMPLOYEE OF MEDIX STAFFING SOLUTIONS, INC. AT CITY OF HOPE AS A CLINICAL RESEARCH COORDINATOR AT ANY TIME FROM FEBRUARY 8, 2013 TO JULY 1, 2018.

A state court permitted this notice. This is not an advertisement.

You are not being sued. Your legal rights are affected, whether you act or not.

Please read this notice carefully.

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NOTICE

Questions? Call 1-888-636-3998 Toll Free

1. ***Why Should You Read This Notice?***

This notice tells of your rights to share in the settlement and your ability to “opt-out” of, or object to, the settlement. There was a hearing on August 20, 2019 in the Los Angeles Superior Court, and Judge Kenneth R. Freeman directed that you receive this notice.

You have received this notice because records indicate that you are a class member in this lawsuit. The settlement will resolve all claims described below.

On January 14, 2020, at 9:00 a.m., the Court will hold a Final Fairness Hearing concerning the proposed settlement in Los Angeles Superior Court located at 312 North Spring Street, Los Angeles, CA 90012, before the Honorable Kenneth R. Freeman in Department 14.

2. ***What is The Case About?***

A putative class action lawsuit entitled *Danelian v. Medix Staffing Solutions, Inc., City of Hope National Medical Center, City of Hope*, was filed on February 8, 2017 in Los Angeles Superior Court, Case No. BC649846 (the “Action”), alleging that Medix Staffing Solutions, Inc. (“Medix”), and City of Hope National Medical Center and City of Hope (collectively, “City of Hope”), violated California law by failing to pay minimum wages, failing to pay wages and overtime, failing to provide meal and rest breaks, and failing to timely pay employees upon termination. Medix and City of Hope deny the allegations raised in the Action, and assert that they did not violate the law and have no liability for any of the class members’ claims under any statute, wage order, regulation, common law, or equitable theory.

3. ***What is This Notice About?***

You may be entitled to receive money from a settlement that has been reached in the Action. The Court must finally approve the terms of the settlement described below as fair and reasonable to the class. The settlement will affect all members of the class, including you. This notice will explain the terms of the settlement and the amount of money you may get.

4. ***Who Are The Parties In This Class Action?***

Christine Danelian is the Plaintiff in the Action, acting on behalf of herself and on behalf of certain current and former Medix employees who were assigned by Medix to work as Clinical Research Coordinators at City of Hope. Medix and City of Hope are the Defendants.

The “Settlement Class” is comprised of all persons who are current or former Medix employees who were assigned by Medix to work as Clinical Research Coordinators at City of Hope at any time between February 8, 2013 and July 1, 2018, and who do not timely opt out of the settlement.

You have been identified as a member of the Settlement Class.

5. ***Why Did Medix and City of Hope Join In This Notice?***

Medix and City of Hope do not admit to any of the claims alleged in the Action. Medix and City of Hope deny the allegations in the Action, and deny that they owe money for any of the claims alleged in the Action. Medix and City of Hope are settling the Action as a compromise, in order to save attorneys’ fees and costs and to avoid the uncertainties of litigation. Medix and City of Hope reserve the right to object to any claims made in the Action if for any reason the settlement fails. The Court file has the settlement documents with more information on the Action.

6. Who Are The Attorneys Representing The Parties?

Attorneys for Plaintiff & the Class are:

David Yeremian & Associates, Inc.

David Yeremian
Alvin Lindsay
535 N. Brand Blvd., Suite 705
Glendale, California 91203
Telephone: (818) 230-8380
Facsimile (818) 230-0308

Attorneys for Medix Staffing Solutions, Inc. are:

Greenberg Traurig, LLP

Michael D. Karpeles
77 West Wacker Drive, Suite 3100
Chicago, Illinois 60601
Telephone: (312) 456-8400
Facsimile: (312) 456-8435

James M. Nelson
Ashley Farrell Pickett
1840 Century Park East, Suite 1900
Telephone: (310) 586-7700
Facsimile: (310) 586-7800

Attorneys for City of Hope National Medical Center and City of Hope are:

Mayer Brown LLP

John Nadolenco
Roxanne M. Wilson
Robert C. Double III
350 South Grand Avenue, 25th Floor
Los Angeles, CA 90071-1503
Telephone: (213) 229-9500
Facsimile: (213) 625-0248

7. How Do I Receive Money From This Settlement?

You will automatically receive money from the settlement if you do not submit a request to be excluded from the settlement. Your individual settlement payment will be based on the information shown below. The deadline to request to be excluded from the settlement, or to object to the settlement is November 12, 2019.

If you are a current Medix employee, your decision as to whether or not to be excluded from the settlement will not affect your employment with Medix. If you are a current Medix employee assigned to work at City of Hope, your decision as to whether to participate in or be excluded from the settlement will not affect your assignment to City of Hope. If you were employed by Medix and placed at City of Hope and then became a full-time employee for City of Hope, your employment will not be affected by this Settlement. If you would like to receive payment under the Settlement, you do not need to do anything further.

8. Excluding Yourself From And/Or Objecting To The Settlement.

If you do not wish to be included in the settlement, you must mail to the Settlement Administrator the attached "Optional Request for Exclusion from the Class Action Settlement" form postmarked no later than November 12, 2019.

If you send the Optional Request For Exclusion Form, you will receive **no money** from the settlement.

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If you do nothing and do not request exclusion, following entry of judgment and exhaustion of appeals or other post-judgment proceedings, the judgment entered by the Court will bind you and you will release the claims described in Section 9. You will only receive money from the settlement if you do not request exclusion.

If you wish to object to the settlement, you must mail an objection that includes the case name, identifies the Court, and states why you object to the settlement. Your objection must state your full name, address, and telephone number. The objection should be mailed to the *Danelian v. Medix Staffing Solutions, Inc., City of Hope National Medical Center, City of Hope Class Action Settlement* c/o Settlement Administrator CPT Group, Inc. at 50 Corporate Park, Irvine, CA 92606 and, to be valid, must also be mailed to the attorneys listed in Section 6 by November 12, 2019.

Please do not call the Court or the attorneys for Medix or City of Hope. You may contact the Class Administrator or Class Counsel with questions.

If you properly object, you may also appear, through your own retained counsel or on your own behalf, and discuss your objections with the Court and the Parties at the Final Fairness Hearing set for January 14, 2020 at 9:00 a.m. in Department 14 of Los Angeles Superior Court located at 312 North Spring Street, Los Angeles, CA 90012.

If the Court approves the settlement against your objection and you have not returned an Optional Request for Exclusion Form, you will receive a payment from the settlement.

9. Effect of the Settlement, Release of Claims, and Settlement Allocations.

If the proposed settlement is finally approved by the Court, a Judgment will be entered by the Court that will release Medix and City of Hope and their past, present, or future subsidiaries, divisions, predecessors, successors and assigns, officers, agents, employees, advisors, insurers, attorneys, executors, administrators, servants, owners, shareholders, bondholders, directors, partners, attorneys, and any parent organizations, successors in interest, and/or representatives (“Released Parties”) from any and all claims, debts, liabilities, demands, obligations, damages, suits, actions or causes of action of any kind, whether known or unknown, which have been or could have been asserted against the Released Parties arising out of or related to all claims for meal and rest break violations, wages, waiting time penalties, accurate and properly itemized wage statements, and all other claims of any kind for wages, penalties, interest, costs and attorneys’ fees arising from the alleged violation of any provision of statutory or common law related to wages, California wage-and-hour law and/or federal wage-and hour law that were or could have been raised by or on behalf of Danelian or the Settlement Class Members, or heirs, executors, administrators, successors or assigns of any of them (whether directly, indirectly, representatively, derivatively or in any other capacity), accruing any time between February 8, 2013 and July 1, 2018, including, but not limited to, those arising under the California Labor Code §§ 201-04, 226, 226.7, 510, 512, 558, 1174, 1174.5, 1185, 1194, 1194.2, 1197, 1199, 2698, 2699; California Code of Civil Procedure § 1021.5; California Code of Regulations, the corresponding California Industrial Welfare Commissions Wage Orders; California Business & Professions Code § 17200, *et seq.*, Fair Labor Standards Act (“FLSA”); and the California Labor Code Private Attorneys General Act of 2004, Labor Code § 2698, *et seq.* (the “Settled Claims”) to the extent provided in the Settlement Agreement, and permanently bar all Settlement Class Members who do not submit a timely Optional Request for Exclusion form from prosecuting any and all Settled Claims against the Released Parties. Upon final approval by the Court of the settlement, each Class Member who has not opted out of this settlement shall release the Released Parties from the Settled Claims.

Notice of final approval of the settlement and final judgment will be posted and available to all Settlement Class Members on the Settlement Administrator’s website at www.cptgroup.com/MedixCityofHopeSettlement.

In exchange for the above release, Medix and City of Hope will pay the total or Gross Settlement Amount of \$150,000.00. Medix shall pay \$35,000.00 of the Gross Settlement Amount and City of Hope shall pay \$115,000.000 of the Gross Settlement Amount. The Net Settlement Amount means the Gross Settlement Amount less (i) up to ten thousand dollars (\$10,000.00) as an incentive award for Danelian for her efforts in bringing and prosecuting this matter; (ii) up to thirty five percent (35%) of the Gross Settlement Amount (\$52,500) for payment of attorneys’ fees to Class Counsel; (iii) an amount not to exceed ten thousand dollars (\$10,000.00) for Class Counsel’s Costs/Expenses; (iv) an amount not to exceed six thousand dollars (\$6,000.00) for the Settlement Administrator’s estimated costs of administration of this Settlement Agreement; and (v) three thousand seven hundred and fifty dollars (\$3,750.00), which is 75% of the five thousand dollars (\$5,000.00) allocated for the payment of civil penalties under the California Labor Code Private Attorney General Act (the “PAGA Payment”).

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If the settlement is approved and you do not request to be excluded, you will receive compensation and will be forever barred from asserting the Settled Claims against the Released Parties.

10. *How Much Can I Expect to Receive?*

Your payment under the settlement will be calculated based on the number of weeks you worked for Medix at City of Hope as reflected below. The Net Settlement Amount shall be distributed by the Settlement Administrator to Settlement Class Members who do not timely opt out of the Settlement Agreement. Each Settlement Class Member will be paid a pro rata share of the Net Settlement Amount based on the number of weeks he or she worked for Medix at City of Hope between February 8, 2013 and July 1, 2018, divided by the total number of work weeks worked by all Settlement Class Members. Any of the above allocated funds which the Court does not finally approve will be added back into the Net Settlement Amount to be allocated to the Settlement Class Members as described above.

Any settlement award checks which remain undeliverable or uncashed for 180 days following their issuance will be voided and the Administrator, who will then remit the funds to the Unclaimed Property Division of the State Controller's Office to be held in the Unclaimed Property Fund for the Settlement Class Member's benefit so that he or she may claim them at a later date.

Medix's records indicate that you worked for Medix at City of Hope from «StringOfDates» for a total of «TotalWorkweeks» work weeks. Therefore, your payment under the settlement is estimated to be «estAmount». This amount may decrease or increase without further notice to you depending on orders by the Court. It is important that you carefully check and confirm the dates of employment listed above and correct any inaccuracies on the attached "Class Member Identification Form". You must mail the Class Member Identification Form to the Settlement Administrator postmarked no later than November 12, 2019.

11. *How Will The Attorneys For The Class And Danelian Be Paid?*

The attorneys for Danelian will be paid from the Gross Settlement Amount. The attorneys have asked for an award of up to \$52,500.00, which is 35% of the Gross Settlement Amount in fees and are requesting reimbursement of up to \$10,000 in reasonable litigation costs, and will receive that award if their request is approved by the Court. If approved by the Court, Plaintiff Christine Danelian will be paid from the Gross Settlement Amount an Incentive Award of up to \$10,000 for her service, in addition to her individual Settlement Award pursuant to section 10.

12. *How Can I Receive Additional Information?*

If you need more information or have any questions, you may call Class Counsel at the telephone number in Section 6, or you may call the Settlement Administrator at the telephone number listed below, toll free. Please refer to the Danelian Class Action Settlement. You may also refer to the case web-site, at www.cptgroup.com/MedixCityofHopeSettlement, which includes this Notice and the other forms and approval and administration documents regarding this Settlement.

Danelian v. Medix Staffing Solutions Inc.,
City of Hope National Medical Center, City of Hope
 c/o Settlement Administrator
 CPT Group, Inc.
 50 Corporate Park
 Irvine, CA 92606
 Telephone: 1-888-636-3998

Please do not call the Court for information about this settlement. Please do not contact Medix's or City of Hope's attorneys for information about this settlement

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