

Electronically Received 11/13/2023 12:00 AM

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FILED
Superior Court of California
County of Los Angeles
11/14/2023
David W. Slayton, Executive Officer / Clerk of Court
By: _____ A. He _____ Deputy

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9 *Attorneys for Plaintiff and the Putative Class*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF ANGELES

13 CARRIE PRODRAMIDES, an individual,

14 Plaintiff,

15 vs.

16 SHORELINE TREATMENT CENTER, INC., a
17 California Corporation; RACHEL LEVI, an
individual, and DOES 1 through 50, inclusive,

18 Defendants.

CLASS ACTION
Case No: 20STCV47287
Hon. Stuart Rice
Dept. 1

**~~PROPOSED~~ ORDER GRANTING
CONDITIONAL CLASS CERTIFICATION
AND PRELIMINARY APPROVAL OF
CLASS ACTION AND PRIVATE
ATTORNEY GENERAL SETTLEMENT**

21 Complaint Filed: December 10, 2020
22 Initial Trial Date: None

1 **~~PROPOSED~~ ORDER**

2 On September 27, 2023, at 10:30 a.m., this case came for hearing before the Honorable Stuart
3 M. Rice in Department 1 of the Superior Court, County of Los Angeles, located at 312 North Spring
4 Street, Los Angeles, California 90012, for Plaintiff Carrie Prodromides’ unopposed Motion for
5 Conditional Class Certification and Preliminary Approval of Class Action and Private Attorney
6 General Act Settlement and Release Agreement (“Motion”). The day prior to the hearing, September
7 26, 2023, the Court issued its checklist for preliminary approval for class action settlements directing
8 Plaintiff to address certain deficiencies articulated in the checklist. During the hearing of September
9 27, 2023, Plaintiff was ordered to file supplemental documents correcting these deficiencies.

10 With leave of Court, on October 23, 2023, Plaintiff filed a second amended complaint, which
11 became the “Operative Complaint” for final approval. On October 26, 2023, Plaintiff filed a
12 supplemental brief, along with supplemental declarations and documents correcting the deficiencies
13 discussed during the hearing of September 27, 2023. On October 30, 2023, the Court instructed
14 Plaintiff to submit a revised Amended Proposed Preliminary Approval Order articulating the
15 monetary aspects of the settlement and the intended disbursements from the overall gross recovery,
16 which Plaintiff submitted on November 10, 2023.

17 The Court, having fully reviewed the unopposed Motion, the supporting memorandum of
18 Points and Authorities, Declarations of Rolando J. Gutierrez, Nicholas L. Ramirez, and Richard Kim,
19 filed in support thereof, the Supplemental Declaration of Rolando J. Gutierrez and the Amended Class
20 Action and PAGA Settlement and Release Agreement (“Settlement Agreement”) attached thereto, the
21 proposed Notice of Class Action Settlement (“Class Notice”), having carefully analyzed the
22 Settlement Agreement and the Notice, **HEREBY MAKES THE FOLLOWING ORDERS:**

23 1. The Court grants preliminary approval of the Settlement and the Settlement Class
24 based upon the terms set forth in the Settlement Agreement, attached to the Second Supplemental
25 Declaration of Rolando J. Gutierrez, Esq. as Exhibit 5, and incorporated herein by this reference, and
26 made a part of this Order. For settlement purposes only, the Court grants conditional certification of
27 the following “Settlement Class” defined as:

1 All current and former non-exempt employees who work or worked for Defendants
2 Shoreline Treatment Center, Inc., Shoreline Treatment Center, LLC, or Odyssey
3 Behavioral Healthcare, LLC at any Shoreline Treatment Center facility in California
4 during at any time during the time-period of December 10, 2016 through March 10,
5 2023, and includes the “Non-Release Benefit Subclass” and the “Release Benefit
6 Subclass.”

7 The “Non-Release Benefit Subclass” includes:

8 All non-exempt employees who worked for any of the Defendants during the Class
9 Period but did not sign a Release Benefit Agreement or a Revised Release Benefit
10 Agreement releasing Defendants from the claims raised in the Action and did not
11 receive compensation for releasing Defendants from the claims raised in the Action.

12 The “Release Benefit Subclass” includes:

13 All non-exempt employees who worked for any of the Defendants during the Class Period
14 and who signed a Release Benefit Agreement or a Revised Release Benefit Agreement
15 releasing Defendants from the claims raised in the Action or received payments for
16 releasing Defendants from the claims raised in the Action.

17 The Class Period is from December 10, 2016 to March 10, 2023.

18 2. The gross value of Settlement is \$673,661.00, which consists of (1) a payment by the
19 Defendants of \$500,000 to fund the Settlement (the “Settlement Fund”), and (2) an aggregate amount
20 of \$173,661 that Defendants already paid to the Release Benefits Subclass (the “Total Release Benefit
21 Amount”). The “Net Settlement Amount” is the Settlement fund of \$500,000 less the following
22 deductions, subject to Court Approval:

PAGA Allocation.....	\$25,000 ¹
Settlement Fund Fee Payment	\$166,665 ²
Class Counsel Expenses	\$45,000
Class Representative Service Award	\$7,500
Administrator Expenses Payment	\$13,000
Total Net Settlement Amount to Participating Class Members	\$242,835

23 ¹ Of which 75% (\$18,750) shall be paid to Labor & Workforce Development Agency, and 25% (\$6,250)
24 shall be paid to the Aggrieved Employees.

25 ² The “Settlement Fund Fee Payment” represents 33.333% of the Settlement Fund. At Final Approval,
26 Class Counsel will also request approval of a “Direct Fee Payment” of \$60,781.35, which represents 35% of
27 the Total Release Benefit Amount, to be paid directly by the Defendants. The Direct Fee Payment is in
28 recognition that the Release Benefits paid to the Release Benefit Subclass were inspired by this action, and to
prevent the Non-Release Benefit Subclass from having to bear the entire cost of attorneys’ fees. The
Settlement is not contingent on approval of the Direct Fee Payment, nor shall the Direct Fee Payment alter or
affect the Net Settlement Amount to be distributed to the Participating Class Members or the Aggrieved
Employees from the Settlement Fund.

1 3. The Court finds that the Settlement falls within the range of reasonableness and
2 appears to be valid, subject only to any objections that may be raised at the final fairness hearing and
3 final approval by this Court.

4 4. The Court confirms Rolando J. Gutierrez and Nicholas L. Ramirez of BROWN WHITE
5 & OSBORN, LLP and Richard Kim from the LAW OFFICE OF RICHARD KIM, PC. as Class Counsel for
6 purposes of settlement.

7 5. The Court hereby appoints Carrie Prodromides as the Class Representative

8 6. The Court confirms CPT Group, Inc. as the Claims Administrator.

9 7. The Court finds that the form of Class Notice to the Settlement Class regarding the
10 pendency of the action and of the Settlement, and the methods of giving notice to members of the
11 Settlement Class, constitute the best notice practicable under the circumstances, and constitute valid,
12 due, and sufficient notice to the Settlement Class. The form and method of giving notice complies
13 with the requirements of California Code of Civil Procedures § 382, California Civil Code § 1781,
14 California Rules of Court 3.766 and 3.769, the California and United States Constitutions, and other
15 applicable law.

16 8. The Court approves the procedures for Settlement Class members to opt out of or
17 object to the Settlement, as set forth in the Class Notice and the Settlement. The Class Notice shall
18 provide at least 60 calendar days' notice for members of the Settlement Class to submit disputes, opt
19 out of, or object to the Settlement.

20 9. The Court finds that the procedures and requirements for filing objections in
21 connection with the Final Fairness Hearing are intended to ensure the efficient administration of
22 justice and the orderly presentation of any Settlement Class Member's objection to the Settlement, in
23 accordance with the due process rights of all Settlement Class Members.

24 10. The Court directs the Claims Administrator to mail the Class Notice to the members of
25 the Settlement Class in accordance with the terms of the Settlement.

26 11. The Final Fairness Hearing on the question of whether the Settlement should be finally
27 approved as fair, reasonable, and adequate is scheduled in Department 1 of this Court, located at 312
28 North Spring Street, Los Angeles, CA 90012, on April 3, 2024, at 10:30 a.m.

1 12. At the Final Fairness Hearing, the Court will consider: (a) whether the Settlement
 2 should be approved as fair, reasonable, and adequate for the Settlement Class; (b) whether a judgment
 3 granting final approval of the Settlement should be entered; and (c) whether Plaintiffs’ application for
 4 an enhancement payment, claims administration costs, Labor and Workforce Development Agency’s
 5 (“LWDA”) share of PAGA penalties, and Class Counsel’s attorneys’ fees and costs should be
 6 granted.

7 13. Class Counsel shall file memoranda, declarations, or other statements and materials in
 8 support of their request for final approval, including Plaintiff’s application for enhancement
 9 payments, claims administration costs, LWDA’s share of PAGA penalties, and Class Counsel’s
 10 attorneys’ fees and costs no later than March 11, 2024.

11 14. The Court orders the following Implementation Schedule for further proceedings:

Event	Timing
Defendants to deliver class data to Administrator.	Within 15 days after preliminary approval
Class Notice mailed to Class Members.	15 days after receipt of class data (i.e., 30 days from Preliminary Approval)
Deadline to opt-out, object, or challenge workweek/PAGA pay period count.	60 days after the Class Notice is mailed (the “Response Deadline”), plus an additional 14 days for re-mailed Class Notices (i.e., 90 days after Preliminary Approval)
Plaintiff files Motion for Final Approval, Motion for Attorneys’ Fees and Reimbursement of Costs, and Motion for Enhancements Award.	16 court days before the Final Approval hearing date, or March 11, 2024.
Final Approval Hearing	April 3, 2024, at 10:30 a.m.

12 15. Pending the Final Fairness Hearing, all proceedings in this action, other than
 13 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
 14

1 Order, are stayed.

2 16. Counsel for the Parties are hereby authorized to utilize all reasonable procedures in
3 connection with the administration of the Settlement that are not materially inconsistent with either
4 this Order or the terms of the Settlement.

5
6 **IT IS SO ORDERED.**



A handwritten signature in black ink that reads "Stuart M. Rice".

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8 Dated: 11/14/2023

Stuart M. Rice / Judge

HONORABLE STUART M. RICE

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1 **PROOF OF SERVICE**

2 **RE: *Prodromides v. Shoreline Treatment Center, Inc, et. al.***
3 **Case No: 20STCV47287**

4 I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not
5 a party to the within suit; my business address is 333 South Hope Street, 40th Floor, Los Angeles, CA
6 90071.

7 On **November 10, 2023** I served true and correct copies the following document(s) described as:

8 **[PROPOSED] ORDER GRANTING CONDITIONAL CLASS CERTIFICATION AND**
9 **PRELIMINARY APPROVAL OF CLASS ACTION AND PRIVATE ATTORNEY GENERAL**
10 **SETTLEMENT**

11 on the interested parties in this action as follows:

12 Karina B. Sterman, Esq.
13 *KSterman@ggfirm.com*
14 James W. Hill, Esq.
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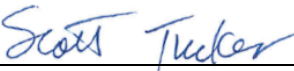
26 *Attorneys for Defendants*
27 **SHORELINE TREATMENT CENTER, LLC,**
28 *f/k/a SHORELINE TREATMENT CENTER,*
INC.; RACHEL LEVI; ODYSSEY
BEHAVIORAL HEALTHCARE, LLC

1 **BY ELECTRONIC SERVICE VIA CASEANYWHERE:** Complying with California Rule
2 of Court 2.251 and Code of Civil Procedure § 1010.6, *et. seq.*, and in compliance with the
3 Court’s Case Management Order, I caused true and correct copies of the documents to be served
4 through Case Anywhere at www.caseanywhere.com to the email address(es) of the person(s)
5 identified above.

6 **STATE:** I declare under penalty of perjury under the laws of the State of California that the
7 foregoing is true and correct.

8 Executed on **November 10, 2023** at Los Angeles, California.

9 _____
10 Scott Tucker
11 Type or Print Name

12 
13 _____
14 Signature