

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

JUANA OLIVOS VALDEZ, an individual; DANILLIE WILLIE, and individual; and PATRICIA THEUS, an individual, on behalf of themselves and all others similarly situated, and as aggrieved employees under the Labor Code Private Attorneys General Act of 2004,

Plaintiffs,

v.

GENESIS HEALTHCARE LLC, a Delaware Corporation; GENESIS HEALTHCARE, INC., a Delaware corporation; GENESIS ADMINISTRATIVE SERVICES, LLC, a Delaware limited liability company; ALEXANDRIA CARE CENTER, LLC, a Delaware limited liability company; THE REHABILITATION CENTRE OF BEVERLY HILLS, a California corporation; and DOES 1 through 100, inclusive,

Defendants.

Case No. CV 19-976-DMG (JCx)

**ORDER GRANTING PLAINTIFFS JUANA OLIVOS VALDEZ, DANILLIE WILLIE, AND CHRISTINE ESPINOSA’S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT [110]**

1 Plaintiffs Juana Olivos Valdez, Danillie Willie, and Christine Espinosa’s  
2 Motion for Preliminary Approval of Class Action Settlement came on regularly for  
3 hearing on April 1, 2022, before the undersigned judge. The Court, having  
4 considered Plaintiffs’ motion and the Declarations of Launa Adolph and Ronald Bae  
5 and all exhibits thereto, including the Stipulation of Class Action Settlement  
6 (“Stipulation”), and for good cause appearing, HEREBY ORDERS AS FOLLOWS:

7 1. The Court finds on a preliminary basis that the Class Representatives  
8 and Class Counsel have adequately represented the Class Members, the proposed  
9 Settlement was negotiated at arm’s length, the relief provided to the Class Members  
10 is adequate, and the proposed Settlement treats class members equitably relative to  
11 each other. The Court therefore finds on a preliminary basis that the Settlement meets  
12 the requirements for preliminary approval.

13 2. The Court approves, as to form and content, the Notice of Class Action  
14 Settlement, attached as Exhibit 1 to the Stipulation (subject to the Court’s edits), and  
15 the Information Sheet, attached as Exhibit 2 to the Stipulation. The Court finds that  
16 the mailing of these documents comprising the Notice Packet to each Class Member’s  
17 last known address is the best notice practicable under the circumstances, and when  
18 completed, shall constitute due and sufficient notice of the class action, proposed  
19 Settlement, and the final approval hearing to all persons entitled to such notice in full  
20 compliance with the requirements of due process and the Federal Rules of Civil  
21 Procedure.

22 3. The Court finds, for settlement purposes only, that the class meets the  
23 requirements for certification under Federal Rule of Civil Procedure 23, in that: (1)  
24 the class is so numerous that joinder of all Class Members is impracticable; (2) there  
25 are questions of law and fact common to the class; (3) Plaintiffs’ claims are typical  
26 of the claims of the class; (4) Plaintiffs and their counsel will fairly and adequately  
27 protect the interests of the Class; and (5) questions of law and fact common to Class  
28 Members predominate over any questions affecting only individual Class Members,

1 and a class action is superior to other available methods for fairly and efficiently  
2 adjudicating the controversy.

3 4. The Court hereby provisionally certifies the following class:

4 All persons employed by Defendants as non-exempt employees in the  
5 State of California at any time during the Class Periods.

6 5. The Court appoints, for settlement purposes only, Plaintiffs Juana  
7 Olivos Valdez, Danillie Willie, and Christine Espinosa as class representatives.

8 6. The Court appoints, for settlement purposes only, Matthew J. Matern,  
9 Launa Adolph, Kayvon Sabourian, and Shooka Dadashzadeh of Matern Law Group,  
10 PC and Ronald H. Bae and Olivia D. Scharrer of Aequitas Legal Group to serve as  
11 class counsel.

12 7. The Court appoints CPT Group as the Settlement Administrator. The  
13 Court authorizes the Settlement Administrator to mail the Notice Packets to the Class  
14 Members, pursuant to the terms of the Stipulation.

15 8. A hearing to determine whether the Settlement is fair, reasonable, and  
16 adequate to the Class Members and whether the Settlement should be finally  
17 approved (“Final Approval Hearing”) shall be held on **July 29, 2022 at 10:00 a.m.**,  
18 in Courtroom 8C of the United States District Court for the Central District of  
19 California, located at 350 West 1st Street, Los Angeles, CA, 90012. The Court  
20 reserves the right to adjourn or continue the date of the Final Approval Hearing  
21 without further notice to Class Members, and retains jurisdiction to consider all  
22 further applications or motions arising out of or connected with the Settlement.

23 9. The Parties are ordered to carry out the Settlement according to the  
24 terms of the Settlement.

25 //

26 //

27 //

28 //

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

10. The Court sets the following deadlines:

Deadline for Defendants to provide Class List to Settlement Administrator	April 15, 2022
Deadline for Settlement Administrator to mail Notice Packets to Class Members	April 29, 2022
Deadline for Class Counsel to file Motion for Attorneys' Fees and Costs	May 23, 2022
Deadline for Class Members to opt out of or object to the Settlement ("Response Deadline")	June 13, 2022
Deadline for Plaintiffs to file Motion for Final Approval of Class Action Settlement	June 23, 2022

IT IS SO ORDERED.

DATED: April 1, 2022

  
 DOLLY M. GEE  
 UNITED STATES DISTRICT JUDGE