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4/21/2023 1:13 PM
Kern County Superior Court
By Christina Vasquez, Deputy

11 Attorneys for Plaintiff Stacie Horton, individually,
12 and on behalf of all others similarly situated.

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF KERN**

15 STACIE HORTON, individually and on behalf
16 of all others similarly situated,

17 Plaintiff,

18 vs.

19 EVERSIDE HEALTH, LLC; HEALTHSTAT
20 WELLNESS, INC.; and DOES 1 through 20,
21 inclusive,

22 Defendants.

Case No. BCV-21-101366 TSC

Assigned for All Purposes to:
Hon. Judge Thomas S. Clark
Dept. 17

**PLAINTIFF'S NOTICE OF MOTION AND
MOTION FOR PRELIMINARY APPROVAL
OF CLASS AND REPRESENTATIVE
ACTION SETTLEMENT**

Date: May 31, 2023
Time: 8:30 a.m.

1 **TO ALL INTERESTED PARTIES AND THEIR RESPECTIVE ATTORNEYS OF**
2 **RECORD:**

3 PLEASE TAKE NOTICE that on March 2, 2023 at 8:30 a.m., or as soon thereafter as the matter
4 may be heard in Department 17 of the above-entitled Court located at 1415 Truxton Avenue, Bakersfield,
5 California 93301, Plaintiff Stacie Horton (“Plaintiff”) will and hereby does move this Court for an Order:

- 6 1. Granting preliminary approval of the proposed Joint Stipulation of Settlement (“Settlement
7 Agreement” or “Agreement”);
- 8 2. Conditionally certifying the proposed Class for settlement purposes only;
- 9 3. Appointing Plaintiff Stacie Horton as the Class Representative;
- 10 4. Appointing Aegis Law Firm, PC as Class Counsel;
- 11 5. Appointing Phoenix Class Action Administration as the Settlement Administrator and
12 authorizing Phoenix Class Action Administration to send notice of the Settlement to the
13 Class Members; and
- 14 6. Setting a final approval hearing date.

15 Pursuant to California Rules of Court 3.769(d) and (e), the Motion is made on the grounds that
16 the proposed Settlement Agreement satisfies all criteria for preliminary approval under California law
17 and falls well within the range of reasonableness; the Agreement was reached through informed, arms-
18 length bargaining between experienced attorneys, and Plaintiff and Class Counsel will fairly and
19 adequately represent the Class Members.

20 The Motion is based on this Notice of Motion, Plaintiff’s Motion for Preliminary Approval of
21 Class Action Settlement, the Declaration of Namrata Kaur, and on all records and documents on file,
22 together with such oral and documentary evidence that may be presented at the hearing on this matter.

23
24 Dated: April 21, 2023

AEGIS LAW FIRM, PC

25
26 By: Namrata Kaur
27 Namrata Kaur
28 Attorneys for Plaintiff