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8 YOXY JURADO and HECTOR CHAVEZ

FILED
Superior Court of California
County of Los Angeles

08/21/2023

David W. Slayton, Executive Officer / Clerk of Court

By: A. He Deputy

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES – SPRING STREET**

12 YOXY JURADO, individually and on behalf
13 of others similarly situated and as an
14 aggrieved employee and Private Attorney
15 General, and HECTOR CHAVEZ,
16 individually and on behalf of others similarly
17 situated and as an aggrieved employee and
18 Private Attorney General;

19 Plaintiffs,

20 vs.

21 AEQUOR HEALTHCARE SERVICES,
22 LLC, a New Jersey limited liability
23 company; AEQUOR HEALTHCARE
24 SERVICES, INC., a Nevada corporation;
25 THERAPY STAFF, LLC, a Delaware
26 limited liability company; UNITED
27 STAFFING SOLUTIONS, INC., an
28 unknown business entity; and DOES 1
through 50, inclusive,

Defendants.

Case No.: 21STCV06001

*Assigned for All Purposes to: Hon. Stuart M.
Rice; Dept. 1*

CLASS ACTION

**~~[PROPOSED]~~ ORDER GRANTING
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Hearing Date: August 21, 2023

Hearing Time: 4:00 p.m.

Dept: 1

Complaint Filed: February 11, 2021

Trial Date: None Set

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1 **~~PROPOSED~~ ORDER**

2 The Motion of Plaintiffs YOXY JURADO and HECTOR CHAVEZ (collectively
3 “Plaintiffs”) for Preliminary Approval of Class Action and PAGA Settlement (“Motion”) came
4 regularly for hearing before this Court on August 21, 2023. The Court, having considered the
5 proposed Amended Joint Stipulation of Class Action and PAGA Settlement (“Settlement” or
6 “Settlement Agreement”) attached to the Supplemental Declaration of Heather Davis filed in
7 support of the Motion; having considered Plaintiffs’ Motion for Preliminary Approval of Class
8 Action and PAGA Settlement, the memorandum of points and authorities in support thereof, and
9 supporting declarations filed therewith; and good cause appearing, **HEREBY ORDERS THE**
10 **FOLLOWING:**

11 1. The Court GRANTS preliminary approval of the class action settlement as set
12 forth in the Settlement Agreement and finds its terms to be within the range of reasonableness of
13 a settlement that ultimately could be granted approval by the Court at a Final Fairness hearing.
14 All terms used herein shall have the same meaning as defined in the Settlement Agreement. For
15 purposes of the Settlement only, the Court finds that the proposed Class is ascertainable and that
16 there is a sufficiently well-defined community of interest among the members of the Class in
17 questions of law and fact. Therefore, for settlement purposes only, the Court grants conditional
18 certification of the following settlement Class:

19 All current and former hourly-paid, non-exempt employees of Aequor Healthcare
20 Services, LLC, Aequor Healthcare Services, Inc., Therapy Staff, LLC, and United
21 Staffing Solutions, Inc. who were employed by Aequor Healthcare Services, LLC,
22 Aequor Healthcare Services, Inc., Therapy Staff, LLC, or United Staffing
23 Solutions, Inc. in the state of California for claims arising in California at any time
24 during the Class Period.

25 2. For purposes of the Settlement only, the Court designates Plaintiffs Yoxy Jurado
26 and Hector Chavez as the Class Representatives and designates Protection Law Group, LLP as
27 Class Counsel.

28 3. The Court designates Phoenix Settlement Administrators as the third-party
Settlement Administrator.

1 4. The Parties are ordered to implement the Settlement according to the terms of the
2 Settlement Agreement.

3 5. The Court approves, as to form and content, the Notice of Proposed Class Action
4 Settlement (“Class Notice”) attached as Exhibit A to the Settlement Agreement.

5 6. The Court finds that the form of notice to the Class regarding the pendency of the
6 Action and of the Settlement, the dates selected for mailing and distribution, and the methods of
7 giving notice to members of the Class, satisfy the requirements of due process, constitute the best
8 notice practicable under the circumstances, and constitute valid, due, and sufficient notice to all
9 members of the Class. The form and method of giving notice complies fully with the requirements
10 of California Code of Civil Procedure § 382, California Civil Code § 1781, California Rules of
11 Court §§ 3.766 and 3.769, the California and United States Constitutions, and other applicable
12 law.

13 7. The Court further approves the procedures for Class Members to opt-out of or
14 object to the Settlement, as set forth in the Class Notice and the Settlement Agreement. The
15 procedures and requirements for filing objections in connection with the final fairness hearing are
16 intended to ensure the efficient administration of justice and the orderly presentation of any Class
17 Member’s objection to the Settlement, in accordance with the due process rights of all Class
18 Members.

19 8. The Court directs the Settlement Administrator to mail the Class Notice to the
20 members of the Class in accordance with the terms of the Settlement.

21 9. The Class Notice shall provide 60 calendar days’ notice (plus an additional 15 days
22 for Class Members whose Class Notice is re-mailed) for Class Members to submit disputes, opt-
23 out of, or object to the Settlement.

24 10. The hearing on Plaintiffs’ Motion for Final Approval of Settlement on the question
25 of whether the Settlement should be finally approved as fair, reasonable, and adequate is
26 scheduled in Department 1 of this Court, located at 312 N. Spring Street, Los Angeles, California
27 90012, on January 26, 2024, at 10:30 a.m./~~p.m.~~

28 11. At the Final Fairness hearing, the Court will consider: (a) whether the Settlement

1 should be approved as fair, reasonable, and adequate for the Class; (b) whether a judgment
2 granting final approval of the Settlement should be entered; and (c) whether Plaintiffs' application
3 for Class Representative Enhancement Payments, Settlement Administration Costs, and Class
4 Counsel's attorneys' Fees and Costs, should be granted.

5 12. Counsel for the Parties shall file memoranda, declarations, or other statements and
6 materials in support of their request for final approval of Plaintiffs' application for Class
7 Representative Enhancement Payments, Settlement Administration Costs, and Class Counsel's
8 attorneys' Fees and Costs, prior to the hearing on Plaintiffs' Motion for Final Approval of
9 Settlement according to the time limits set by the Code of Civil Procedure and the California
10 Rules of Court.

11 13. An implementation schedule is below:

Event	Date
Defendants to provide class contact information and tax rate information to the Settlement Administrator no later than:	September 18, 2023 [28 calendar days following preliminary approval]
Settlement Administrator to mail the Class Notice to the Class Members no later than:	September 25, 2023 [7 days following provision of contact information]
Deadline for Class Members to submit disputes, request exclusion from, or object to the Settlement:	November 24, 2023 [60 days after mailing of the Class Notice]
Deadline for Plaintiffs to file Motion for Final Approval of Class Action and PAGA Settlement:	January 3, 2024 _____ [Per Code]
Hearing on Motion for Final Approval of Settlement: <i>(suggested date: January 26, 2024)</i>	January 26, 2024 _____

1 14. Pending the Final Fairness hearing, all proceedings in this Action, other than
2 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this
3 Order, are stayed. To facilitate administration of the Settlement pending final approval, the Court
4 hereby enjoins Plaintiffs and all members of the Class from filing or prosecuting any claims, or
5 suits regarding claims released by the Settlement, unless and until such Class Members have filed
6 valid Requests for Exclusion with the Settlement Administrator.

7 15. Counsel for the Parties are hereby authorized to utilize all reasonable procedures
8 in connection with the administration of the Settlement which are not materially inconsistent with
9 either this Order or the terms of the Settlement.

10
11 **IT IS SO ORDERED.**



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

12
13 DATED: August 21, 2023

14 By: Stuart M. Rice / Judge
15 HON. STUART M. RICE
16 JUDGE OF THE SUPERIOR COURT
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