

FILED
Superior Court of California
County of Los Angeles

DEC 03 2020

Sherri R. Carter, Executive Officer/Clerk of Court
By Dejane Wortham, Deputy

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LOS ANGELES SUPERIOR COURT

SEP 25 2020

S. DREW

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Attorneys for Plaintiffs RHONDACIA VARDINI and DELIA G. FLORES, as individuals and on behalf of all employees similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT
SPRING STREET COURTHOUSE**

DELIA G. FLORES, on behalf of herself and
all other similarly situated employees,

Plaintiff,

v.

CAMBRIAN HOMECARE, a California
corporation, and DOES 1-100 inclusive,

Defendants.

Case No.: BC544612

**[PROPOSED] ORDER GRANTING FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT, AWARDED
ATTORNEY'S FEES, COSTS AND
ENHANCEMENT AWARD**

Date: TBD

Time: TBD

Judge: Hon. Ann I. Jones

Dept.: SS11

Case Filed: May 5, 2014

1 **PROPOSED ORDER**

2 The Court, having read and considered the papers filed in support of the motion, the
3 proposed class notice and other documents, having considered the arguments of counsel, and good
4 cause appearing therefore,

5 **IT IS HEREBY ORDERED:**

6 1. The Parties' Stipulation of Settlement ("Settlement Agreement") entered into by
7 and between Plaintiffs DELIA FLORES ("FLORES") and RHONDA CIAVARDINI
8 ("CIAVARDINI") (hereinafter "Plaintiffs") and CAMBRIAN HOMECARE ("Defendant" or
9 "CAMBRIAN"), attached as Exhibit A to the Declaration of Atoy H. Wilson ("Wilson Decl."),
10 is finally approved as the terms of the Settlement Agreement fall within the range of approval as
11 fair, adequate and reasonable.

12 2. The following persons are conditionally certified as Class Members for
13 Settlement purposes only: All current and former Caregivers who have worked for Cambrian
14 Homecare ("Defendant") in California as a Caregiver and (1) worked one or more 24-hour shifts
15 at any time from May 5, 2010 to September 27, 2019, and/or; (2) worked as a Non-respite
16 Caregiver at any time from January 1, 2014 to September 27, 2019. These employees will be
17 referred to as "Settlement Class" or "Settlement Class Members." The total number of Class
18 Members consists of five hundred forty-seven (547) individuals. The Class Period is May 5, 2010
19 through September 27, 2019.

20 3. The proposed Class satisfies the requirements of a class because the members of
21 the Class are readily ascertainable, and a well-defined community of interest exists in the
22 questions of law and fact affecting the Parties.

23 4. Named Plaintiffs DELIA FLORES and RHONDA CIAVARDINI are appointed
24 as Class Representatives. Kevin Mahoney, Katherine J. Odenbreit, and Atoy H. Wilson of
25 Mahoney Law Group, APC are appointed as Class Counsel.

26 5. Phoenix Settlement Administrators is appointed to act as the Settlement
27 Administrator, pursuant to the terms set forth in the Settlement Agreement. The Settlement
28 Administrator is ordered to carry out the Settlement distribution according to the terms of the

1 Settlement Agreement and in conformity with this Order.

2 6. The Court awards attorney's fees to Class Counsel, Mahoney Law Group, APC,
3 in the amount of eighty-three thousand two hundred seventy-five dollars (\$83,275.00). The Court
4 finds the attorney's fee award based on one-third of the total recovery is justified in light of the
5 efficiency and quality of the settlement in the face of substantial risks, the relative early
6 procurement of benefits to the class and the contingency nature of the representation in this matter.
7 The Court further finds the hourly rates assigned by Class Counsel to be reasonable in light of the
8 experience of counsel.

9 7. The Court awards costs of litigation in the amount of *twenty-nine thousand three hundred +*
10 *\$29,330.13* ~~(\$32,000.00)~~ to Mahoney Law Group, APC. *thirty and 13/100*

11 8. The Court awards the administration costs in the amount of ten thousand dollars
12 (\$10,000.00) payable to Phoenix Settlement Administrators.


13 9. The Court hereby awards to Class Representatives DELIA FLORES and
14 RHONDA CIAVARDINI an Enhancement Payment of seven thousand five hundred dollars
15 (\$7,500.00) each, for a total Enhancement Payment of fifteen thousand dollars (\$15,000.00). The
16 Court finds Plaintiff has undertaken significant risk and performed valuable services on behalf of
17 the Settlement Class and that this award would have a negligible impact on the claims of any of
18 the Settlement Class Members.

19 10. The Court orders a Final Distribution Report from the Settlement Administrator to
20 be filed by *July 30*, 2021. A non-appearance case review regarding the filing of
21 the Final Distribution Report from the Settlement Administrator is set for
22 *July 30*, 2021 *at 8:30 am.*

23 11. Accordingly, the Court orders all Parties and their counsel to cooperate in fulfilling
24 the terms of the Settlement Agreement herein consistent with this order, and this Court shall retain
25 jurisdiction to effectuate the terms of the settlement including the binding effect of the releases
26 set forth in the Settlement Agreement as to both the class representative and the putative class
27 herein.

28 ///

1 Dated: 12-3, 2020



Hon. Ann I. Jones
JUDGE OF THE SUPERIOR COURT

PROOF OF SERVICE

Code of Civ. Proc. § 1013a, subd. (3)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) and not a party to the within entitled action. My place of business is 249 East Ocean Boulevard, Suite 814, Long Beach, CA 90802.

On **September 25, 2020** I served [X] true copies [] originals the foregoing documents described as: **[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT, AWARDED ATTORNEY'S FEES, COSTS AND ENHANCEMENT AWARD**, on the interested parties in this action, addressed as follows:

Devin S. Lindsay, Esq.

Amber S. Healy, Esq.

**ATKINSON, ANDELSON, LOYA, RUDD
& ROMO**

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☒ **By Electronic Transmission:** The parties listed above were served electronically with a true and correct copy of the document(s) listed above by transmission through CASE ANYWHERE.

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

Executed on **September 25, 2020**, at Long Beach, California.



Gilbert Martinez