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16 Attorneys for Plaintiffs

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

18 **FOR THE COUNTY OF ORANGE**

19 DILCIA CRANDALL, BARBARA
20 TATUM, ELIZABETH FUENTES AND
MYRNA JOHNSTON, individually and on
behalf of all others similarly situated

21 Plaintiffs,

22 vs.

23 MAXIM HEALTHCARE SERVICES, INC.
a corporation; MAXIM
24 HEALTHCARE STAFFING SERVICES,
INC.; and DOES 1 through 20, inclusive,

25 Defendants.
26
27

Case No. 30-2017-00940239-CU-OE-CXC

Assigned for all purposes to:

The Hon. Glenda Sanders / Dept. CX101

**NOTICE OF RULING REGARDING
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT, AND, MOTION FOR
ATTORNEYS' FEES, COSTS, CLASS
REPRESENTATIVE ENHANCEMENT
AWARDS AND ADMINISTRATION
EXPENSES**

1 The Motion for Final Approval of Class Action Settlement and Motion for Attorneys' Fees,
2 Costs, Class Representative Enhancement Awards and Administration Expenses of Plaintiffs Dilcia
3 Crandall, Barbara Cohen (formerly Tatum), Elizabeth Fuentes, and Myrna Johnston (collectively,
4 "Plaintiffs") came on for hearing on May 20, 2022 before the Honorable Glenda Sanders. Fawn
5 Bekam from Aegis Law Firm, PC and Jeff Geraci from Cohelan Khoury & Singer appeared on
6 behalf of the Plaintiffs. All Parties submitted, and the Court adopted its tentative ruling as follows:

7 Hearing held, all participants appearing remotely.

8 Tentative Ruling posted on the Internet as follows:

9 **1. Motion for Attorney Fee**

10 **2. Motion for Final Approval**

11 The supplemental materials have adequately addressed the issues identified by the Court.
12 (ROA 433.) The objections to the settlement are overruled and the motion for attorneys' fees, final
13 approval of class action and PAGA settlement is therefore GRANTED, subject to the modifications
14 set forth below.

15 Attorney's fees in the amount of \$1,833,333,33, or approximately 1/3 of the gross
16 settlement.

17 1. The Court finds this amount to be a reasonable amount in light of the quality of the
18 result obtained for a large class of more than 45,000 members, the work performed by class counsel,
19 a review of the billing records provided, and the estimated lodestar. In approving this amount and
20 examining the billing records provided, the Court is not approving the hourly billing rates proposed
21 by class counsel.

22 2. Litigation costs in the amount of \$88,567.52.

23 3. Administration costs in the amount of \$110,000.

24 4. Enhancement awards of \$40,000 as follows: \$15,000 to Plaintiff Dilcia Crandall;
25 \$10,000 each to Plaintiffs Elizabeth Fuentes and Myrna Johnston; and \$5,000 to Plaintiff Barbara
26 Cohen. In making these awards, the Court has considered the factors set forth in *Golba v. Dick's*
27 *Sporting Goods, Inc.* (2015) 238 Cal.App.4th 1251 and *Clark v. Am. Residential Servs. LLC* (2009)
28 175 Cal.App.4th 785.

1 5. A payment to the LWDA in the amount of \$187,500, representing the LWDA's
2 share of the amount allocated to the PAGA claim.

3 A final accounting is set for December 8, 2022, at 1:30 p.m. in Department CX101. The
4 Administrator is to file a declaration no later than 10 calendar days prior to that hearing to confirm
5 that settlement disbursement efforts are complete.

6 The parties are ordered to submit a revised order that conforms to the foregoing and
7 identifies the settlement by ROA number of the declaration to which it is attached, and includes the
8 names all individuals who have opted out. The names of these individuals are required to facilitate
9 subsequent courts in determining who is not bound by the settlement.

10 Plaintiffs to give notice, including to the LWDA, and file proof of same.

11 The court does not require any physical or remote appearance at the hearing scheduled for
12 May 20, 2022.

13 END OF TENTATIVE.

14 At calendar call, all parties submitted on the court's tentative ruling.

15 The tentative ruling now becomes the final ruling of the court.

16 Plaintiffs to give notice, including to the LWDA, and file proof of same.

17 The Final Accounting is scheduled for 12/08/2022 at 01:30 PM in Department CX101.

18 Plaintiffs to give notice, including to the LWDA, and file proof of same.

19

20 A true and correct copy of the Court's May 20, 2022 Minute Order is attached as Exhibit

21 1. The Notice of Ruling was provided to the LWDA via its website on the date filed with the Court.

22 Attached as Exhibit 2 is a true and correct copy of the LWDA confirmation of receipt.

23

Respectfully submitted,


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COHELAN KHOURY & SINGER
AEGIS LAW FIRM, PC
LAW OFFICES OF THOMAS D. RUTLEDGE

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26

27 Dated: May 31, 2022

By: 
Michael D. Singer
Attorneys for Plaintiffs

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EXHIBIT 1

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 05/20/2022

TIME: 01:30:00 PM

DEPT: CX101

JUDICIAL OFFICER PRESIDING: Glenda Sanders

CLERK: L. Mora

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: D. Miranda

CASE NO: **30-2017-00940239-CU-OE-CXC** CASE INIT.DATE: 08/25/2017

CASE TITLE: **Crandall vs. Maxim Healthcare Services, Inc.**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Other employment

EVENT ID/DOCUMENT ID: 73751145

EVENT TYPE: Motion for Final Approval

MOVING PARTY: Dilcia Crandall, Myrna Johnston, Barbara Tatum, Elizabeth Fuentes

CAUSAL DOCUMENT/DATE FILED: Motion - Other for final approval of class action settlement & entering judgment, 02/15/2022

EVENT ID/DOCUMENT ID: 73751192

EVENT TYPE: Motion for Attorney Fees

MOVING PARTY: Dilcia Crandall, Myrna Johnston, Barbara Tatum, Elizabeth Fuentes

CAUSAL DOCUMENT/DATE FILED: Motion for Attorney Fees, 02/15/2022

APPEARANCES

Jeff Geraci, from Cohelan Khoury & Singer, present for Plaintiff(s) remotely.

Fawn Bekam, from Aegis Law Firm, PC, present for Plaintiff(s) remotely.

Hearing held, all participants appearing remotely.

Tentative Ruling posted on the Internet as follows:

- 1. Motion for Attorney Fee**
- 2. Motion for Final Approval**

The supplemental materials have adequately addressed the issues identified by the Court. (ROA 433.) The objections to the settlement are overruled and the motion for attorneys' fees, final approval of class action and PAGA settlement is therefore **GRANTED**, subject to the modifications set forth below.

Attorney's fees in the amount of \$1,833,333,33, or approximately 1/3 of the gross settlement.

1. The Court finds this amount to be a reasonable amount in light of the quality of the result obtained for a large class of more than 45 000 members, the work performed by class counsel, a review of the billing records provided, and the estimated lodestar. In approving this amount and examining the billing records provided, the Court is not approving the hourly billing rates proposed by class counsel.
2. Litigation costs in the amount of \$88,567.52.
3. Administration costs in the amount of \$110,000.

4. Enhancement awards of \$40,000 as follows: \$15,000 to Plaintiff Dilcia Crandall; \$10,000 each to Plaintiffs Elizabeth Fuentes and Myrna Johnston; and \$5,000 to Plaintiff Barbara Cohen. In making these awards, the Court has considered the factors set forth in *Golba v. Dick's Sporting Goods, Inc.* (2015) 238 Cal.App.4th 1251 and *Clark v. Am. Residential Servs. LLC* (2009) 175 Cal.App.4th 785.

5. A payment to the LWDA in the amount of \$187,500, representing the LWDA's share of the amount allocated to the PAGA claim.

A final accounting is set for **December 8, 2022**, at 1:30 p.m. in Department CX101. The Administrator is to file a declaration no later than 10 calendar days prior to that hearing to confirm that settlement disbursement efforts are complete.

The parties are ordered to submit a revised order that conforms to the foregoing and identifies the settlement by ROA number of the declaration to which it is attached, and includes the names all individuals who have opted out. The names of these individuals are required to facilitate subsequent courts in determining who is not bound by the settlement.

Plaintiffs to give notice, including to the LWDA, and file proof of same.

The court does not require any physical or remote appearance at the hearing scheduled for May 20, 2022.

END OF TENTATIVE.

At calendar call, all parties submitted on the court's tentative ruling.

The tentative ruling now becomes the final ruling of the court.

Plaintiffs to give notice, including to the LWDA, and file proof of same

The Final Accounting is scheduled for 12/08/2022 at 01:30 PM in Department CX101.

Plaintiffs to give notice, including to the LWDA, and file proof of same

EXHIBIT 2

From: [DIR PAGA Unit](#)
To: [Matthew Atlas](#)
Subject: [External] Thank you for your Court Order or Judgment Submission
Date: Tuesday, May 31, 2022 10:58:58 AM

05/31/2022 10:58:46 AM

Thank you for your submission to the Labor and Workforce Development Agency.

Item submitted: Court Order or Judgment

If you have questions or concerns regarding this submission or your case, please send an email to pagainfo@dir.ca.gov.

DIR PAGA Unit on behalf of
Labor and Workforce Development Agency

Website: https://urldefense.proofpoint.com/v2/url?u=http-3A__labor.ca.gov_Private-5FAttorneys-5FGeneral-5FAct.htm&d=DwIFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=CkmVEddukKLexsqU9o1LOYeca1vZAEC-MO6PZ1f0-Jc&m=hUqutdpvRr-Ra6YMIk_IEWu1e3R6NwYmqe6pme-ZuKY&s=-hijQ00xhqwQnNJAeqlGQdYnDLkouFEFdEPj3KyI6Ck&e=