

41672903

**HAINES LAW GROUP, APC**  
Paul K. Haines (SBN 248226)  
phaines@haineslawgroup.com  
Sean M. Blakely (SBN 264384)  
sblakely@haineslawgroup.com  
Alexandra R. McIntosh (SBN 320904)  
amcintosh@haineslawgroup.com  
2155 Campus Drive, Suite 180  
El Segundo, California 90245  
Tel: (424) 292-2350  
Fax: (424) 292-2355

Attorneys for Plaintiff

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE

JUL 02 2024

DAVID H. YAMASAKI, Clerk of the Court

BY:  , DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE**

NEVINE GIRGIS, as an individual and on  
behalf of all others similarly situated,

Plaintiff,

vs.

LIFE GENERATIONS HEALTHCARE LLC;  
GHC OF AUBURN, LLC d.b.a. SIENA  
SKILLED NURSING AND  
REHABILITATION CENTER; GHC OF  
CANOGA PARK, LLC d.b.a. CANYON  
OAKS NURSING AND REHABILITATION  
CENTER; GHC OF CONTRA COSTA, LLC  
d.b.a. BAYBERRY SKILLED NURSING  
AND HEALTHCARE CENTER; GHC OF  
DALY CITY 102, LLC d.b.a. ST. FRANCIS  
HEIGHTS CONVALESCENT HOSPITAL;  
GHC OF DALY CITY 239, LLC d.b.a. ST.  
FRANCIS CONVALESCENT PAVILION;  
GHC OF EL CAJON, LLC d.b.a. BRADLEY  
COURT; GHC OF HENDERSON, LLC d.b.a.  
HORIZON RIDGE SKILLED NURSING  
AND REHABILITATION CENTER; GHC  
OF KEARNY MESA, LLC d.b.a. KEARNY  
MESA CONVALESCENT AND NURSING  
HOME; GHC OF LA MESA, LLC d.b.a.  
ARBOR HILLS NURSING CENTER; GHC  
OF LAKESIDE, LLC d.b.a. LAKESIDE

Case No. 30-2022-01284746-CU-OE-CXC

[Assigned for all purposes to the Hon. William  
Claster, Dept. CX-101]

**AMENDED ~~PROPOSED~~ ORDER  
GRANTING PRELIMINARY APPROVAL  
OF CLASS ACTION SETTLEMENT**

Date: June 21, 2024  
Time: 9:00 a.m.  
Dept.: CX-101

Complaint Filed: October 6, 2022  
Trial Date: None Set

1 SPECIAL CARE CENTER; GHC OF  
LAKEVIEW TERRACE, LLC d.b.a.  
2 LAKEVIEW TERRACE SPECIAL CARE  
CENTER; GHC OF LOMPOC, LLC d.b.a.  
3 LOMPOC SKILLED NURSING AND  
REHABILITATION CENTER; GHC OF  
4 LOS GATOS, LLC d.b.a. PLUM TREE  
CARE CENTER; GHC OF MODESTO, LLC  
5 d.b.a. ENGLISH OAKS CONVALESCENT  
AND REHABILITATION HOSPITAL; GHC  
6 OF NATIONAL CITY I, LLC d.b.a.  
7 FRIENDSHIP MANOR NURSING AND  
REHABILITATION CENTER; GHC OF  
8 NATIONAL CITY II, LLC d.b.a. CASTLE  
MANOR NURSING AND  
9 REHABILITATION CENTER; GHC OF  
10 NEWPORT BEACH, LLC d.b.a. NEWPORT  
NURSING AND REHABILITATION  
11 CENTER; GHC OF PLEASANTON, LLC  
d.b.a. PLEASANTON NURSING AND  
12 REHABILITATION CENTER; GHC OF  
13 SAC-RCFE, LLC d.b.a. GRAMERCY  
COURT ASSISTED LIVING; GHC OF SAC-  
14 SNF, LLC d.b.a. GRAMERCY COURT  
SKILLED NURSING AND  
15 REHABILITATION CENTER; GHC OF  
SAN FRAN 180, LLC d.b.a. CITY VIEW  
16 POST ACUTE; GHC OF SAN FRAN 68,  
LLC d.b.a. LAWTON SKILLED NURSING  
17 AND REHABILITATION CENTER; GHC  
OF SAN JOSE, LLC d.b.a. VISTA MANOR  
18 NURSING CENTER; GHC OF SAN  
19 RAFAEL, LLC d.b.a. SMITH RANCH  
SKILLED NURSING AND  
20 REHABILITATION CENTER; GHC OF  
SANTEE, LLC d.b.a. STANFORD COURT  
21 SKILLED NURSING AND  
REHABILITATION CENTER; GHC OF  
22 SUNNYVALE, LLC d.b.a. CEDAR CREST  
NURSING AND REHABILITATION  
23 CENTER; GHC OF TEM-RCFE, LLC d.b.a.  
24 TEMECULA MEMORY CARE; GHC OF  
TEM-SNF, LLC d.b.a. TEMECULA  
25 HEALTHCARE CENTER; GHC OF  
26 UPLAND RCFE, LLC d.b.a. HERITAGE  
COURT ASSISTED LIVING; GHC OF  
27 UPLAND SNF, LLC d.b.a. HERITAGE  
PARK NURSING CENTER; GHC OF  
28 WALNUT CREEK, LLC d.b.a. WALNUT

1 CREEK SKILLED NURSING AND  
2 REHABILITATION CENTER; GHC OF  
3 SACRAMENTO, LLC; GHC OF NORTH-  
4 MASTER, LLC; GHC of MASTER ANB-  
5 FRESNO, LLC; GHC OF EL C-RCFE, LLC;  
6 GHC of Fresno, LLC; GHC OF BLUE  
7 OAKS, LLC; GHC OF ANBERRY, LLC;  
8 GHC OF SAN JOSE NOTE, LLC; GHC OF  
9 STRIVE, LLC; GHC OF TEMECULA, LLC;  
10 GHC OF UPLAND DEMENTIA, LLC;  
11 California Limited Liability Companies;; and  
12 DOES 1 through 100,

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
Defendants.

1 The Motion of Nevine Girgis (“Plaintiff”) for Preliminary Approval of Class Action  
2 Settlement (the “Motion”) came on regularly for hearing before this Court on June 21, 2024, at  
3 9:00 a.m. The Court, having considered the proposed amended Stipulation of Settlement (the  
4 “Settlement”); having considered the Motion, Memorandum of Points and Authorities in support  
5 thereof, and supporting declarations filed therewith, Plaintiff’s Supplemental Briefing, and any  
6 argument presented at the hearing on the Motion; and good cause appearing, HEREBY ORDERS  
7 THE FOLLOWING:

8 1. The Court GRANTS preliminary approval of the class action settlement between  
9 Plaintiff and Defendant Life Generations Healthcare LLC (“Defendant”) as set forth in the  
10 Settlement and finds its terms to be within the range of reasonableness of a settlement that  
11 ultimately could be granted final approval by the Court at a Final Approval Hearing. For purposes  
12 of the Settlement only, the Court finds that the proposed Settlement Class is ascertainable and  
13 that there is a sufficiently well-defined community of interest among the members of the  
14 Settlement Class in questions of law and fact. Therefore, for settlement purposes only, the Court  
15 grants conditional certification of the following Settlement Class:

16 All current and former non-exempt employees who were employed  
17 by one of the Facility Defendants in California at any time from  
18 October 6, 2021 through August 5, 2023 (the “Relevant Time  
Period”).

19 3. For purposes of the Settlement, the Court designates Plaintiff as the Class  
20 Representative, and designates Paul K. Haines, Sean M. Blakely, and Alexandra McIntosh of  
21 Haines Law Group, APC as Class Counsel.

22 3. The Court designates Apex Class Action LLC as the third-party Settlement  
23 Administrator for mailing notices.

24 4. The Court approves, as to form and content, the Notice of Pendency of Class and  
25 PAGA Action and Proposed Settlement (“Class Notice”), Request for Exclusion Form, and the  
26 Notice of Estimated Settlement Award, attached as Exhibits 1, 2, and 3, respectively, to the  
27 Settlement (collectively, the “Notice Packet”).  
28

1           5.       The Court finds that the proposed form of notice to the Class Members regarding  
2 the pendency of this litigation and of the Settlement, and the methods of giving notice to Class  
3 Members, constitute the best notice practicable under the circumstances, and constitute valid,  
4 due, and sufficient notice to all Class Members. The proposed form and method of giving notice  
5 complies fully with the requirements of California Code of Civil Procedure section 382,  
6 California Civil Code section 1781, California Rules of Court 3.766 and 3.769, the California  
7 and United States Constitutions, and other applicable law.

8           6.       The Court further approves the procedures for Class Members to opt out of or  
9 object to the Settlement, as set forth in the Notice.

10          7.       The procedures and requirements for filing objections in connection with the  
11 Final Approval Hearing are intended to ensure the efficient administration of justice and the  
12 orderly presentation of any Class Member's objection to the Settlement, in accordance with the  
13 due process rights of all Class Members.

14          8.       The Court directs the Settlement Administrator to mail the Notice Packet to the  
15 Class Members in accordance with the terms of the Settlement.

16          9.       The Notice shall provide at least sixty (60) calendar days' notice for Class  
17 Members to opt out of, or object to, the Settlement.

18          10.      The Final Approval Hearing on the question of whether the Settlement should be  
19 finally approved is scheduled in Department CX-101 of this Court, located at 751 West Santa  
20 Ana Boulevard, Santa Ana, California 92701 on November 22, 2024, at 9:00 a.m.

21          11.      At the Final Approval Hearing, the Court will consider: (a) whether the  
22 Settlement should be finally approved as fair, reasonable, and adequate for the Settlement Class;  
23 (b) whether a judgment granting final approval of the Settlement should be entered; and (c)  
24 whether Plaintiff's application for reasonable attorneys' fees, reimbursement of litigation  
25 expenses, enhancement payment to Plaintiff, and settlement administration costs should be  
26 granted.

27          12.      Counsel for the parties shall file memoranda, declarations, or other statements  
28

1 and materials in support of their request for final approval of the Settlement, attorneys' fees,  
2 litigation expenses, Plaintiff's enhancement payment, and settlement administration costs prior  
3 to the Final Approval Hearing according to the time limits set by the Code of Civil Procedure  
4 and the California Rules of Court.

5 13. An implementation schedule is below:


Event	Date
Defendant to provide Class Data to Settlement Administrator no later than [15 business days after preliminary approval]:	July 15, 2024
Settlement Administrator to mail Notice Packets to Class Members no later than [10 business days after receiving Class Data]:	July 29, 2024
Deadline for Class Members to submit opt outs, objections, or disputes to the Settlement Administrator [60 days after mailing of Notice Packets]:	September 27, 2024
Deadline for Plaintiff to file Motion for Final Approval of Class Action Settlement:	October 25, 2024
Final Approval Hearing	November 22, 2024

16 14. Pending the Final Approval Hearing, all proceedings in this litigation, other than  
17 proceedings necessary to carry out or enforce the terms and conditions of the Settlement and this  
18 Order, are stayed.

19 15. Counsel for the parties are hereby authorized to utilize all reasonable procedures  
20 in connection with the administration of the Settlement which are not materially inconsistent  
21 with either this Order or the terms of the Settlement.

22 **IT IS SO ORDERED.**

23 Dated: 7/12, 2024

24   
25 Honorable William Claster  
26 Judge of the Superior Court

**PROOF OF SERVICE**

*Nevine Girgis v. Life Generations Healthcare LLC, et al.*  
Orange County Superior Court Case No. 30-2022-01284746-CU-OE-CXC

STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is  2155 Campus Drive, Suite 180, El Segundo, California 90245.

On June 24, 2024, I served the foregoing document(s) described as:

**AMENDED  PROPOSED ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**


on the interested party(ies) in this action as follows:

Maria K. Stearns, Esq.  
Email: mstearns@rutan.com  
Peter Hering, Esq.  
Email: phering@rutan.com  
RUTAN & TUCKER LLP  
18575 Jamboree Road, 9<sup>th</sup> Floor  
Irvine, CA 92612  
Attorneys for Defendant LIFE GENERATIONS HEALTHCARE LLC

(VIA ELECTRONIC MAIL) Pursuant to California Rule of Court 2.251(c), I caused the document described above to be sent to the persons at the electronic service addresses listed above via third party cloud service One Legal.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 24, 2024, at El Segundo, California.

  
\_\_\_\_\_  
Aaron Clark