EFS-020

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: 232464 NAME: Tyler Woods, Esq.; James Yoo (SBN 310680); Karen Wallace (SBN 272309) FIRM NAME: Wilshire Law Firm, PLC STREET ADDRESS: 660 South Figueroa Street, Sky Lobby CITY: Los Angeles STATE: CA ZIP CODE: 90017 TELEPHONE NO.: (213) 381-9988 FAX NO.: (213) 381-9989 E-MAIL ADDRESS: tyler.woods@wilshirelawfirm.com, karen.wallace@wilshirelawfirm.com ATTORNEY FOR (*name*): Plaintiff Tracy Loveless	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 191 North First Street MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, 95113 BRANCH NAME: Downtown Courthouse	-
PLAINTIFF/PETITIONER: Tracy Loveless DEFENDANT/RESPONDENT: Essential Behavior Support, Inc. OTHER:	CASE NUMBER: 24CV447769 JUDICIAL OFFICER: Theodore C. Zyner
PROPOSED ORDER (COVER SHEET)	DEPT: 19

NOTE: This cover sheet is to be used to electronically file and submit to the court a proposed order. The proposed order sent electronically to the court must be in PDF format and must be attached to this cover sheet. In addition, a version of the proposed order in an editable word-processing format must be sent to the court at the same time as this cover sheet and the attached proposed order in PDF format are filed.

1. Name of the party submitting the proposed order:
   Plaintiff Tracy Loveless

2. Title of the proposed order:
   [Proposed] Order Granting Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement

3. The proceeding to which the proposed order relates is:
   a. Description of proceeding: Preliminary Approval Hearing
   b. Date and time: July 29, 2026 at 1:30 p.m.
   c. Place: 191 North First Street, San Jose, California 95113

4. The proposed order was served on the other parties in the case.

Karen L. Wallace
(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

CASE NAME: Tracy Loveless v. Essential Behavior Support, Inc.	CASE NUMBER: 24CV447769

PROOF OF ELECTRONIC SERVICE
PROPOSED ORDER

1. I am at least 18 years old and **not a party to this action.**

   a. My residence or business address is *(specify):*
   660 South Figueroa Street, Sky Lobby, Los Angeles, California 90017

   b. My electronic service address is *(specify):* dariane.rose@wilshirelawfirm.com

2. I electronically served the *Proposed Order (Cover Sheet)* with a proposed order in PDF format attached, and a proposed order in an editable word-processing format as follows:

   a. On *(name of person served) (If the person served is an attorney, the party or parties represented should also be stated.):* Caroline Colangelo (ccolangelo@folsomjackson.com); Chrystal Wade (cwade@folsomjackson.com); J.R. Riddell (jriddell@folsomjackson.com); Isabella Fiorentino (isabella@msdlawyer.com); Cameron Dowlatshahi (camrom@msdlawyers.com); and Mir Raza (mir@msdlawyers.com)

   b. To *(electronic service address of person served):* listed above

   c. On *(date):* 9/17/2026

[x] Electronic service of the *Proposed Order (Cover Sheet)* with the attached proposed order in PDF format and service of the proposed order in an editable word-processing format on additional persons are described in an attachment.

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

Date: 9/17/2026

Dariane Rose
(TYPE OR PRINT NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

Tyler J. Woods (SBN 232464)
tyler.woods@wilshirelawfirm.com
James Yoo (SBN 310680)
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Attorneys for Plaintiff

Filed
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Clerk of the Court
Superior Court of CA
County of Santa Clara
24CV447769
By: afloresca

9/21/2026 9:43:22 AM

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA CLARA

TRACY LOVELESS, individually, and on behalf of other members of the general public similarly situated,

Plaintiff,

v.

ESSENTIAL BEHAVIORAL SUPPORT, INC., a California corporation; and DOES 1 through 10, inclusive,

Defendants

Case No.: 24CV447769

[Assigned for all purposes to the Hon. Theodore C. Zayner, Dept. 19]

REVISED ~~[PROPOSED]~~ ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

PRELIMINARY APPROVAL HEARING
Date: July 29, 2026
Time: 1:30 p.m.
Dept: 19

Complaint filed: September 20, 2024
FAC filed: December 6, 2024
Trial date: None set

~~[PROPOSED]~~ ORDER

The Court has before it Plaintiff Tracy Loveless's ("Plaintiff") Motion for Preliminary Approval of Class Action Settlement (the "Motion"). Having reviewed the Motion along with the accompanying papers, the Class Action and PAGA Settlement Agreement ("Agreement"), and good cause appearing, the Court hereby finds and **ORDERS** as follows:

1. The Court finds on a preliminary basis that the Agreement appears to be fair, adequate, and reasonable and therefore meets the requirements for preliminary approval. The Court grants preliminary approval of the Settlement and the Class (as defined below) based upon the terms set forth in the Agreement between Plaintiff and Defendant Essential Behavioral Support Inc. ("Defendant") (collectively, the "Parties"). A true and correct copy of the Agreement is attached as **Exhibit 1** to the Declaration of Conor J.D. Gomez in Support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement, filed April 22, 2026.

2. The Settlement falls within the range of reasonableness of a settlement that could ultimately be given final approval by this Court and appears to be presumptively valid, subject only to any objections that may be raised at the final approval hearing and final approval by this Court. The Court notes that Defendant has agreed to create a common fund of $512,500.00 ("Gross Settlement Amount") to cover (a) Individual Class Payments to Class Members (as defined below) who do not validly opt out ("Participating Class Members"); (b) PAGA Penalties in the amount of $25,625.00 for civil penalties under the Private Attorneys General Act ("PAGA"), Lab. Code § 2698, *et seq*., 65% of which ($16,656.25) will be paid to the LWDA (the "LWDA PAGA Payment") and 35% ($8,968.75) to Aggrieved Employee (as defined in the Agreement) as Individual PAGA Payments; (c) a Class Representative Service Payment in an amount not to exceed $10,000.00 for Plaintiff; (d) a Class Counsel Fees Payment for attorneys' fees not to exceed one-third of the Gross Settlement Amount ($170,833.33), and a Class Counsel Litigation Expenses Payment not to exceed $25,000.00 for actual litigation expenses incurred by Class Counsel; and (e) Administration Costs not to exceed $10,000.00 to Apex Class Action, LLC (the "Administrator") for costs incurred in administering the Settlement.

3. The Court finds that the terms of the Settlement appear to be within the range of

possible approval, pursuant to California Code of Civil Procedure § 382 and applicable law. The Court finds on a preliminary basis that: (1) the Gross Settlement Amount is fair, adequate, and reasonable to the Class when balanced against the probable outcome of further litigation relating to class certification, liability and damages issues, and potential appeals; (2) significant informal discovery, investigation, research, and litigation have been conducted such that counsel for the Parties at this time are able to reasonably and intelligently evaluate their respective positions; (3) settlement at this time will avoid substantial costs, delay, and risks that would be presented by further litigation; and (4) the proposed Settlement has been reached as the result of intensive, serious, and non-collusive negotiations between the Parties with the assistance of a well-respected class action mediator. Accordingly, the Court preliminarily finds that the Agreement was entered into in good faith.

4. A final approval hearing on the question of whether the proposed Settlement, the Class Counsel Fees Payment and Class Counsel Litigation Expenses Payment, the PAGA Penalties, and the Class Representative Service Payment should be finally approved as fair, adequate, and reasonable as to the Class is hereby set in accordance with the implementation schedule set forth below.

5. For settlement purposes, the Court provisionally certifies the Class defined as All current and former hourly, non-exempt employees employed by Defendant in the State of California during the Class Period from September 20, 2020, through December 29, 2025 ("Class Members").

6. The Court finds, for settlement purposes only, that the Class meets the requirements for certification under California Code of Civil Procedure § 382 in that: (1) Class Members are so numerous that joinder is impractical; (2) there are questions of law and fact that are common, or of general interest, to all Class Members, which predominate over individual issues; (3) Plaintiff's claims are typical of Class Members' claims; (4) Plaintiff and Class Counsel will fairly and adequately protect the interests of the Class; and (5) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

7. The Court appoints Plaintiff as Class Representative, for settlement purposes

only. The Court further preliminarily approves Plaintiff's request for a Class Representative Service Payment in an amount not to exceed $10,000.

8. The Court appoints, for settlement purposes only, Tyler Woods, James Yoo, Heriberto Ponce, and Ruby Carrera of Wilshire Law Firm, PLC as "Class Counsel." The Court further preliminarily approves Class Counsel's request for a Class Counsel Fees Payment in an amount not to exceed one-third (1/3) of the Gross Settlement Amount and a Class Counsel Litigation Expenses Payment in an amount not to exceed $25,000.

9. The Court appoints Apex Class Action, LLC as the "Administrator" and preliminarily approves Administration Costs estimated not to exceed $8,990.00.

10. The Court approves, as to form and content, the Class Notice, a true and correct copy of which is attached as **Exhibit A** to the Supplemental Declaration of Karen L. Wallace In Support of the Motion. The Court finds on a preliminary basis that plan for distribution of the Class Notice to Class Members satisfies due process, provides the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

11. The Parties are ordered to carry out the Settlement according to the terms of the Agreement.

12. Any Class Member who does not timely and validly request exclusion from the Settlement may object to the Agreement.

13. The Court orders the following implementation schedule:

Defendant to provide Class List to the Administrator	Within 21 business days after the Court grants Preliminary Approval of the Settlement
Administrator to mail the Class Notice	Within 14 days after receipt of the Class List from the Defendant
Response Deadline	60 days after Class Notice is mailed out by the Administrator 14 days additional days for any notices that

	were resent
Deadline to file Motion for Final Approval, Request for Class Counsel Fees and Costs, and Class Representative Service Payment to Plaintiff	16 court days before hearing on Motion for Final Approval
Final Approval Hearing	1/27/27, **at 1:30 p.m. in Department ~~5~~ 19.** The hearing may be continued to another date without further notice to Class Members.

14. The Court **ORDERS** further that, pending further order of this Court, all proceedings in this lawsuit, except those contemplated herein and in the Settlement, are stayed.

15. For settlement purposes, "Aggrieved Employees" means all Class Members who worked for Defendant in California during the PAGA Period from September 20, 2023, through September 16, 2025.

IT IS SO ORDERED.

Hon. Frederick Chung
covering for Judge Peterson

Date: September 18, 2026

Signed Per CCP635
Hon. ~~Theodore C. Zayner~~
Judge of the Superior Court