

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

AEGIS LAW FIRM, PC  
SAMUEL A. WONG, State Bar No. 217104  
KASHIF HAQUE, State Bar No. 218672  
JESSICA L. CAMPBELL, State Bar No. 280626  
JAMIE M. LOOS, State Bar No. 346492  
9811 Irvine Center Drive, Suite 100  
Irvine, CA 92618  
Tel: (949) 379-6250 | Fax: (949) 379-6251  
E-mail: [jloos@aegislawfirm.com](mailto:jloos@aegislawfirm.com)

Attorneys for Plaintiff PATRICIA L. BODEMER,  
individually and on behalf of all others similarly situated

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

PATRICIA L. BODEMER, individually and  
on behalf of all others similarly situated,

Plaintiffs,

v.

CALIFORNIA PSYCHIATRIC  
TRANSITIONS  
INCORPORATED; and DOES 1 through 20,  
inclusive,

Defendants.

Case No. 22CV-03472

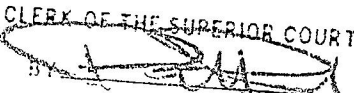
Assigned for all purposes to:  
Hon. Paul C. Lo  
Dept. 3

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

Date: November 20, 2024  
Time: 8:15 a.m.  
Dept: 3

FILED  
MERCED COUNTY

2024 NOV 20 PM 2:40

CLERK OF THE SUPERIOR COURT  
BY:   
DEPUTY

1 The Motion for Preliminary Approval of Class Action and PAGA Settlement ("Motion")  
2 of Plaintiff Patricia Bodemer ("Plaintiff") came before this Court on November 20, 2024, in  
3 Department 3 before the Honorable Paul C. Lo, presiding. The Court having considered the  
papers submitted in support of the Motion and good cause appearing therefor,

4 IT IS HEREBY ORDERED:

5 1. The Court grants preliminary approval of the Settlement and the Settlement Class  
6 based upon the terms set forth in the Class Action and PAGA Settlement ("Settlement") filed with  
7 the Motion. All terms used herein shall have the same meaning as defined in the Settlement.

8 2. It appears to the Court on a preliminary basis that (a) the Settlement is fair,  
9 adequate and reasonable; (b) the Gross Settlement Amount and Net Settlement Amount are fair,  
10 adequate and reasonable when balanced against the probable outcome of further litigation relating  
11 to liability and damages issues; (c) sufficient investigation and research have been conducted such  
12 that counsel for the Parties at this time are able to reasonably evaluate their respective positions;  
13 (d) settlement at this time will avoid additional costs by all Parties, as well as avoid the delay and  
14 risks that would be presented by the further prosecution of the Action; and (e) the Settlement has  
15 been reached as the result of non-collusive, arms-length negotiations. The Settlement falls within  
16 the range of reasonableness and appears to be presumptively valid, subject only to any objections  
17 that may be raised at the final fairness hearing and final approval by this Court.

18 3. With respect to the Class and for purposes of proceeding pursuant to California  
19 Code of Civil Procedure § 382 for approval of the settlement only, the Court finds on a  
20 preliminary basis that (a) Class Members are ascertainable and so numerous that joinder of all  
21 Class Members is impracticable; (b) there are questions of law and fact common to the Class that  
22 predominate over any questions affecting only individual Class Members; (c) Plaintiff's claims  
23 are typical of the Class' claims; (d) class certification is a superior method for implementing the  
24 Settlement and adjudicating this Action in a fair and efficient manner; (e) the Class Representative  
25 can fairly and adequately protect the Class' interests; and (f) Class Counsel are qualified to serve  
26 as counsel for the Class.

27 4. A final fairness hearing on the question of whether the proposed Settlement,  
28 attorneys' fees and costs to Class Counsel, Class Representative's Service Award, penalties of

1 any nature and costs of settlement administration should be finally approved as fair, reasonable  
2 and adequate as to Class Members is scheduled in Department 3 on the date and time set forth in  
3 the Implementation Schedule in Paragraph 10 below.

4 5. This Court approves, as to form and content, the Notice of Proposed Class Action  
5 and PAGA Settlement and Hearing Date for Final Court Approval of Settlement ("Class Notice")  
6 (Exhibit 1). The Court approves the procedure for Class Members to opt out of and to object to  
7 the Settlement as set forth in the Settlement and Class Notice.

8 6. The Court directs the mailing of the Class Notice by first-class mail to the Class  
9 Members in accordance with the Implementation Schedule set forth in Paragraph 10 below. The  
10 Court finds the dates selected for the mailing and distribution of the Class Notice, as set forth in  
11 the Implementation Schedule, meet the requirements of due process and provide the best notice  
12 practicable under the circumstances and shall constitute due and sufficient notice to all persons  
13 entitled thereto.

14 7. It is ordered the Settlement Class is preliminarily certified for settlement purposes.  
15 The Class is defined as all non-exempt employees employed by Defendant in the State of  
16 California at any time during the period of May 1, 2018 to September 8, 2024.

17 8. Plaintiff Patricia Bodemer is hereby preliminarily appointed and designated, for all  
18 purposes, as the Class Representative and the attorneys of Aegis Law Firm, PC are hereby  
19 preliminarily appointed and designated as counsel for the Class ("Class Counsel"). Class Counsel  
20 is authorized to act on behalf of the Class Members with respect to all acts or consents required by,  
21 or which may be given pursuant to, the Settlement, and such other acts reasonably necessary to  
22 consummate the Settlement. Any Class Member may enter an appearance either personally or  
23 through counsel of such individual's own choosing and at such individual's own expense. Any  
24 Class Member who does not enter an appearance or appear on his or her own will be represented  
25 by Class Counsel.

26 9. The Court hereby preliminarily approves Class Counsel attorneys' fees of up to one-  
27 third of the Gross Settlement Amount, Class Counsel litigation expenses not to exceed \$30,000.00,  
28

an Enhancement Award up to \$10,000.00 to Plaintiff, payment to the LWDA in the amount of \$37,500.00, and costs of administration not to exceed \$7,950.00 subject to final approval.

10. The Court confirms ILYM Group, Inc. as the Administrator.

11. To facilitate administration of the Settlement pending final approval, the Court hereby enjoins Plaintiffs and all Class Members from filing or prosecuting any claims, suits or administrative proceedings (including filing claims with the Division of Labor Standards Enforcement of the California Department of Industrial Relations) regarding claims released by the Settlement, unless and until such Class Members have filed valid Requests for Exclusion with the Settlement Administrator and the time for opting out of the class has elapsed.

12. Pending the Final Approval and Fairness Hearing, all proceedings in this Action, other than proceedings necessary to carry out or enforce the terms of the Settlement and this Order, are hereby stayed.

13. Jurisdiction is hereby retained over this Action, the Parties to the Action, and each of the Class Members for all matters relating to this Action, and this Settlement, including (without limitation) all matters relating to the administration, interpretation, effectuation, and/or enforcement of this Settlement and this Order.

14. This Judgment is intended to be a final disposition in its entirety of the above captioned action. Without affecting the finality of this judgment in any way, the Court retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation, and enforcement of the Settlement pursuant to C.C.P. § 664.6.

15. The Parties will bear their own costs and attorneys' fees except as otherwise provided by this Court's Order awarding Class Counsels' Award for attorneys' fees and litigation costs.

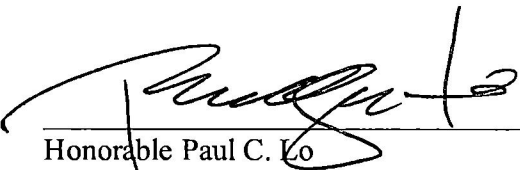
16. The Court orders the following Implementation Schedule for further proceedings:

a.	Deadline for Defendant to Submit Class Member and PAGA Member Information to Settlement Administrator	30 calendar days after Order Granting Preliminary Approval
b.	Deadline for Settlement Administrator to Mail Class Notice to Class Members and PAGA Members	45 calendar days after Order Granting Preliminary Approval

c.	Deadline for Class Members to Postmark Requests for Exclusion	45 calendar days after mailing of Class Notice
d.	Deadline for Defendant to provide written Notice of Rescission of Settlement to Class Counsel (if applicable)	14 calendar days after receipt of the Exclusion Report
e.	Deadline for Receipt by Court, Settlement Administrator, and Counsel of any Objections to Settlement	45 calendar days after mailing of Class Notice
f.	Deadline for Class Counsel to file Motion for Final Approval of Settlement, including Request for Attorneys' Fees and Costs, and Service Award	16 Court days before Final Approval Hearing
g.	Deadline for Settlement Administrator to file Declaration of Due Diligence and Proof of Mailing	16 Court days before Final Approval Hearing
h.	Final Approval Hearing	Date: <u>2/5/25</u> Time: <u>5:30 pm</u> Department: 3
i.	Deadline for Defendant to fund Gross Settlement Amount	60 calendar days after Final Effective Date
j.	Deadline for Settlement Administrator to mail Settlement Awards and Service Award, and to wire transfer Attorneys' Fees and Costs (if Settlement is Effective)	74 calendar days after the Effective Date (e.g., 14 calendar days after Defendant funds the Settlement)
k.	Deadline for Class Members and PAGA Members to cash Settlement checks (if Settlement is Effective)	180 calendar days after Settlement Administrator mails Settlement Awards and Service Award
l.	Deadline for Settlement Administrator to distribute uncashed Settlement checks amount to the California Controller's Unclaimed Property Fund in name of the Class Members (if Settlement is Effective)	14 calendar days after deadline for Class Members to cash Settlement checks
m.	Settlement Administrator to File Proof of Payment of Settlement Awards, Service Award, Attorneys' Fees and Costs, and payment to LWDA (if Settlement is Effective)	21 calendar days after deadline for Settlement Administrator to distribute any uncashed checks

1 **IT IS HEREBY ORDERED.**

2  
3 DATED: 11/20/24

4   
HONORABLE PAUL C. LO  
JUDGE OF THE SUPERIOR COURT

