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6 on behalf of themselves and all others similarly situated

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14 Attorneys for Defendants Merritt Hospitality, LLC

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

17 JUAN VALDEZ and CESAR
18 VALDEZ, as individuals and on
behalf of all others similarly situated,

19 Plaintiffs,

20 v.

21 INTEGRATED BUILDING SERVICES,
INC., a California corporation;
22 INTEGRATED BUILDING SERVICES,
LLC, a canceled California limited liability
23 company; PASADENA HOTEL OPERATOR,
INC., a surrendered Delaware corporation; F
24 & B ASSOCIATES, INC., a California
corporation; MERRITT HOSPITALITY,
25 LLC, a Delaware limited liability company;
ANGEL CIFUENTES, an individual; and
26 DOES 1 through 100, inclusive,

27 Defendants.

FILED
Superior Court of California
County of Los Angeles
02/23/2023

David W. Slayton, Executive Officer / Clerk of Court

By: A. Lim Deputy

CASE NO.: 21STCV37793

[Assigned for all purposes to the Hon. Elihu Berle in Dept. 6]

**AMENDED JOINT STIPULATION AND
~~PROPOSED~~ ORDER RESETTING
ADMINISTRATION TIMELINE AND
CONTINUING FINAL APPROVAL
HEARING**

[Declaration of Vedang J. Patel filed
concurrently]

1 Plaintiffs Juan Valdez and Cesar Valdez (collectively, “Plaintiffs”), on one hand, and
2 defendants Pasadena Hotel Operator, LLC and Merritt Hospitality, LLC, collectively, “Defendants”
3 and with Plaintiffs, the “Parties”), on the other hand, by and through their counsel of record,
4 respectfully submit the following Joint Stipulation and [Proposed] Order Resetting Administration
5 Timeline based on the following facts:

6 **WHEREAS**, on October 18, 2022, the Court granted preliminary approval of the settlement
7 between the Parties.

8 **WHEREAS**, the Court set for a timeline for administration, which included a date for the
9 notice of class action settlement (“Class Notice”) to be mailed to class members of November 14,
10 2022.

11 **WHEREAS**, the settlement called for Plaintiffs’ counsel to provide data regarding class
12 members to the settlement administrator, ILYM Group, Inc. (“Settlement Administrator” or
13 “ILYM”).

14 **WHEREAS**, upon review of data obtained by Plaintiffs’ counsel from subpoenas previously
15 issued to ADP, Inc. (“ADP”), Plaintiffs’ counsel found that numerous addresses, as well as all social
16 security numbers, were missing from the data. Therefore, the Settlement Administrator was unable
17 to mail the Class Notice by November 14, 2022.

18 **WHEREAS**, on November 21, 2022, Plaintiffs’ counsel issued an additional subpoena to
19 ADP, requesting the production of all documents pertaining to the class members.

20 **WHEREAS**, on December 15, 2022 ADP provided some documents regarding the class
21 members, however not all. The addresses as well as all social security numbers were still missing
22 from the dataset.

23 **WHEREAS**, on January 17, 2023, ADP provided additional documents which provided for
24 social security numbers and addresses for some employees, however not all. From the documents
25 provided, a total of 21 employees do not have addresses nor social security numbers. The Parties
26 believe there is no way to obtain the required information for administration purposes for these 21
27 individuals.

28

1 **WHEREAS**, the Settlement Administrator is now in a position to mail Class Notices to the
2 identifiable class members. Therefore, the Parties request the Court set a new administration
3 timeline, as well as a new final approval hearing date. A proposed administration timeline is below:

- 4 1) Deadline to mail Class Notices to Class Members – March 1, 2023
- 5 2) Deadline for Class Members to Opt-Out, Object, or Dispute Workweeks – April 30, 2023
- 6 3) Deadline to file Motion for Final Approval – April 1, 2023
- 7 4) Deadline for Class Counsel and Defendants’ Counsel to Respond to Objections – May 30,
- 8 2023
- 9 5) Final Approval Hearing – June 19, 2023, or a date convenient for the Court.

10 **IT IS HEREBY STIPULATED**, by and between the Parties, by and through their
11 respective counsel, that the Court **ORDERS** the following: A new administration timeline and final
12 approval hearing is set as follows:

- 13 1) Deadline to mail Class Notices to Class Members – March 1, 2023
- 14 2) Deadline for Class Members to Opt-Out, Object, or Dispute Workweeks – April 30, 2023
- 15 3) Deadline to file Motion for Final Approval – April 1, 2023
- 16 4) Deadline for Class Counsel and Defendants’ Counsel to Respond to Objections – May 30,
- 17 2023
- 18 5) Final Approval Hearing – June 19, 2023, or _____.

19
20 Dated: February 22, 2023

BIBIYAN LAW GROUP, P.C.

21
22 BY: /s/ Vedang J. Patel
VEDANG J. PATEL

23 Attorneys for Plaintiffs, on behalf of themselves and all
24 others similarly situated and aggrieved

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Dated: February 22, 2023

PAUL HASTINGS LLP

BY: /s/ Leslie Abbott
LESLIE ABBOTT
Attorney for Defendant Pasadena Hotel Operator, LLC

Dated: February 22, 2023

BALLARD ROSENBERG GOLPER & SAVITT, LLP

BY: /s/ Matthew Golper
MATTHEW GOLPER
Attorneys for Defendants Merritt Hospitality, LLC

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~~PROPOSED~~ ORDER

The Court having reviewed the foregoing Stipulation, and good cause appearing therefor:

IT IS HEREBY ORDERED that the new administration timeline and final approval hearing is as follows:

- 1) Deadline to mail Class Notices to Class Members – March 1, 2023
- 2) Deadline for Class Members to Opt-Out, Object, or Dispute Workweeks – April 30, 2023
- 3) Deadline to file Motion for Final Approval – April 1, 2023
- 4) Deadline for Class Counsel and Defendants’ Counsel to Respond to Objections – May 30, 2023
- 5) Final Approval Hearing – ~~June 19, 2023~~, or ~~June 19, 2023~~ ~~or~~ ~~June 19, 2023~~ ~~or~~ ~~June 19, 2023~~.

IT IS SO ORDERED.

Dated: ~~June 19, 2023~~ _____



Elihu M. Berle

BY: Elihu M. Berle / Judge
Judge of the Superior Court

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PROOF OF SERVICE

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 years and not a party to the within action; my mailing address is 8484 Wilshire Boulevard, Suite 500, Beverly Hills, California 90211.

On February 23, 2023 I caused a true and correct copy of the foregoing document(s) described as **AMENDED JOINT STIPULATION AND [PROPOSED] ORDER RESETTING ADMINISTRATION TIMELINE AND CONTINUING FINAL APPROVAL HEARING; DECLARATION OF VEDANG J. PATEL IN SUPPORT THEREOF** to be served by electronic transmission via Case Anywhere to the parties and/or counsel who are registered to use Case Anywhere and set forth in the below service list:

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15760 Ventura Boulevard, 18th Floor
Encino, CA 91436

Attorneys for Defendants Merrit Hospitality, LLC

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

Executed on February 23, 2023 at Beverly Hills, California.

/s/ Jennifer Echeverria
Jennifer Echeverria