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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ANNETTE HORN, an individual on behalf
of herself and others similarly situated,

Plaintiff,

v.

RISE MEDICAL STAFFING, LLC;
ADVANCED MEDICAL PERSONNEL
SERVICES, INC.; and DOES 1 to 10
inclusive,

Defendants.

Consolidated Case No. 2:17-cv-01967-MCE-KJN

**ORDER GRANTING MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: August 22, 2019

Time: 2:00 p.m.

Location: Courtroom 7

TEKARY WRIGHT and LISA DELGADO,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiff,

vs.

ADVANCED MEDICAL PERSONNEL
SERVICES, INC.; RISE MEDICAL
STAFFING, LLC; and DOES 1 through 50,
Inclusive,

Defendants.

**ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
SETTLEMENT**

1 On July 1, 2019, Plaintiffs Annette Horn, Tekary Wright, and Lisa Delgado (“Plaintiffs”),
2 individually and on behalf of the proposed class, moved the Court for an order granting
3 preliminary approval of a class action settlement of claims against defendants Rise Medical
4 Staffing, LLC and Advanced Medical Personnel Services, Inc. (“Defendants”). ECF No. 57.
5 Thereafter, on August 7, 2019, Defendants filed a Notice of Non-Opposition to Plaintiffs’
6 Motion. ECF No. 61. Given that non-opposition, having carefully considered the motion along
7 with its supporting papers, and good cause appearing, the Court will GRANT the motion.
8 Accordingly, the Court ORDERS as follows:

9 1. The Court preliminarily finds that the terms of the Class Action Settlement
10 Agreement (“Settlement”) are fair, reasonable, and adequate, and comply with
11 Rule 23(e) of the Federal Rules of Civil Procedure.

12 2. The following proposed class (“Settlement Class”) is conditionally certified for
13 purposes of the Settlement only:

14 All non-exempt hourly healthcare professionals employed by Rise Medical
15 Staffing, LLC and/or Advanced Medical Personnel Services, Inc. to work one or
16 more assignments in California from September 21, 2013 through February 28,
17 2018 who received overtime pay and had the value of per diem benefits and/or
18 monetary bonuses received during the assignment(s) excluded from their regular
19 rate for purposes of calculating overtime pay.

20 3. The Court appoints Plaintiffs as the representative of the Settlement Class.

21 4. The Court appoints Hayes Pawlenko LLP and Blumenthal, Nordrehaug,
22 Bhowmik, De Blouw LLP as class counsel for the Settlement Class.

23 5. The proposed manner of the notice of settlement set forth in the Settlement
24 constitutes the best notice practicable under the circumstances and complies with the requirement
25 of due process.

26 6. The Court approves the form, substance, and requirements of the notice of
27 settlement attached as Exhibit A to the Settlement.
28

ORDER GRANTING MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

