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Electronically FILED by
Superior Court of California,
County of Los Angeles
3/04/2026 11:56 AM
David W. Slayton,
Executive Officer/Clerk of Court,
By S. Drew, Deputy Clerk

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*Attorneys for Plaintiffs and the Proposed
Settlement Class*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

JAMIE ORTEGA, SALLY SHIVELY, BETSY
VERGARA, PATSYANN SUTTON, MARY
PEREZ, and STEFANIE DIAMOND on behalf
of themselves and all others similarly situated,

Plaintiffs,

v.

EMANATE HEALTH MEDICAL CENTER, and
DOE DEFENDANTS 1-10,

Defendant.

Case No. 22STCV28142

**PLAINTIFFS' NOTICE OF MOTION AND
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Judge: Hon. Carolyn B. Kuhl
Complaint Filed: August 30, 2022
Trial Date: Not Set.

Hearing Date: May 12, 2026
Hearing Time: 8:30 .a.m.
Hearing Location: Spring Street Courthouse,
Department 12

PLEASE TAKE NOTICE that, pursuant to California Rule of Court 3.769, on May 12, 2026, at 8:30 a.m. PST, or as soon thereafter as the matter may be heard before the Honorable Carolyn B. Kuhl at the Spring Street Courthouse, Department 12, located at 312 North Spring Street, Los Angeles, CA 90012, Plaintiffs Sally Shively, Patsyann Sutton, Mary Perez, and Stefanie Diamond (“Plaintiffs” or “Representative Plaintiffs”), on behalf of themselves and all others similarly situated, will and hereby do move this Court for an order:

1. Preliminarily approving the proposed Settlement,¹ described in the Class Settlement Agreement and Release (the “Class Settlement Agreement”) between Plaintiffs and Defendant Emanate Health Medical Center (“Emanate” or “Defendant” and together with Plaintiffs, the “Settling Parties”), dated January 29, 2026, attached as **Exhibit 1** to the Memorandum of Points and Authorities in Support of Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement (“Memorandum”), filed concurrently herewith;
2. Approving the approved Notice Program and directing the commencement of notice pursuant to the terms of the Class Settlement Agreement;
3. Certifying the Settlement Class for purposes of settlement only;
4. Approving the retention of the firm Eisner Advisory Group, LLC as the Settlement Administrator;
5. Appointing Plaintiffs Sally Shively, Patsyann Sutton, Mary Perez, and Stefanie Diamond as Representative Plaintiffs;
6. Appointing Zimmerman Reed LLP and Milberg Coleman Bryson Phillips Grossman, PLLC as Settlement Class Counsel;
7. Staying all proceedings in the Litigation, other than those related to approval of the Class Settlement Agreement, pending entry of the Final Order and Judgment;
8. Staying and/or enjoining any actions brought by Settlement Class Members concerning the Released Claims, pending the Court’s entry of the Final Order and Judgment in the Class Settlement Agreement; and

¹ The capitalized terms used in this Motion shall have the same meaning as defined in the Class Settlement Agreement, except as may otherwise be indicated.

1 9. Scheduling a Final Approval Hearing at which the Court will conduct an inquiry into the
2 fairness, reasonableness, and adequacy of the Settlement, whether it was made in good faith
3 and should be finally approved, and whether to approve Settlement Class Counsel's Motion
4 for Attorneys' Fees and Expenses and Service Awards.

5 This Notice of Motion and Unopposed Motion for Preliminary Approval of Class Action
6 Settlement ("Motion") is based upon: (1) the averments in this Motion; (2) the Memorandum and all
7 supporting exhibits attached to the Memorandum, which include: (a) the Claim Form; (b) the Email
8 Notice; (c) the Long Form Notice, and (d) the Postcard Notice, attached to the Class Settlement Agreement
9 as **Exhibits A, B, C, and D**, respectively; (3) the Declaration of Ryan Ellersick, attached as **Exhibit 2** to
10 the Memorandum and any accompanying exhibits attached thereto; (4) the [Proposed] Order Granting
11 Preliminary Approval of Class Action Settlement, attached as **Exhibit E** to the Class Settlement
12 Agreement; and (6) the complete file and record in this action and upon such other documentary and upon
13 such oral argument as the Court may consider in deciding this Motion.

14 WHEREFORE, Plaintiffs respectfully request this Court grant their Motion for Preliminary
15 Approval of Class Action Settlement.

16
17 Dated: March 4, 2026

Respectfully submitted,

ZIMMERMAN REED LLP

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