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

JOSHUA WRIGHT, LORETTA STANLEY,  
HALEY QUAM, and AIESHA LEWIS, on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

vs.

FRONTIER MANAGEMENT LLC,  
FRONTIER SENIOR LIVING, LLC, and GH  
SENIOR LIVING, LLC dba GREENHAVEN  
ESTATES ASSISTED LIVING,

Defendants.

Case No. 2:19-cv-01767-JAM-CKD

Hon. John A. Mendez

**STIPULATION AND ORDER TO AMEND  
NOTICE OF SETTLEMENT AND  
ASSOCIATED SETTLEMENT  
ADMINISTRATION DEADLINES**

Complaint Filed: September 6, 2019

Trial Date: None

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13 SENIOR LIVING, LLC and GH SENIOR LIVING, LLC  
14 dba GREENHAVEN ESTATES ASSISTED LIVING  
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1 Plaintiffs Joshua Wright, Loretta Stanley, Haley Quam, and Aiesha Lewis (collectively,  
2 “Plaintiffs”) and Defendants Frontier Management LLC, Frontier Senior Living, LLC, and GH  
3 Senior Living, LLC dba Greenhaven Estates Assisted Living (collectively, “Defendants”) (Plaintiffs  
4 and Defendants are collectively referred to as the “Parties”), by and through their attorneys of  
5 record, hereby stipulate as follows:

6 1. **WHEREAS**, on July 21, 2022, Plaintiffs filed a Motion for Preliminary Approval for  
7 Class and Collective Action Settlement (ECF 85), which requested the Court to approve the Parties’  
8 Class Action Settlement Agreement and Release (“Settlement”), which would resolve the wage and  
9 hour claims of thousands of California, Oregon, Washington, and Illinois class members (“State  
10 Class Members”); Collective Members under the Fair Labor Standards Act (“FLSA”); and the state  
11 of California’s claims for Labor Code violations against Aggrieved Employees under the Private  
12 Attorneys’ General Act of 2004 (“PAGA”);

13 2. **WHEREAS**, the Settlement provides in relevant part that Aggrieved Employees are  
14 non-exempt employees in the State of California at any time between July 7, 2018 and preliminary  
15 approval – unlike State Class Members and Collective Members whose respective time periods end  
16 on March 1, 2022 – and that such Aggrieved Employees shall be paid a *pro rata* portion of the Net  
17 PAGA Amount (*i.e.*, \$23,750) (ECF 85-1, Ex. 1 at ¶ 38.b; *compare* ¶ 2.b with ¶¶ 2.c, 2.g, 2.s, 2.w,  
18 2.kk);

19 3. **WHEREAS**, the Court granted Plaintiffs’ Motion for Preliminary Approval for Class  
20 and Collective Action Settlement on August 29, 2022 (ECF 89), granting in relevant part the Parties’  
21 proposed Notices of Settlement attached to the Settlement as Exhibits C and D (ECF 85-1, Ex. 1,  
22 ¶¶ 2.ii, 10; *see also* ECF 85-1, Exs. C (“Notice of Class Action Settlement” to State Class Members  
23 and Aggrieved Employees) and D (“Notice of Collective Action Settlement” to Collective Members  
24 who are not also State Class Members)) and authorizing the Parties to make non-substantive changes  
25 to the Notices of Settlement consistent with the Settlement and the Court’s Order (ECF 89, ¶¶ 11,  
26 13);

27 4. **WHEREAS**, the Court’s Preliminary Approval Order further approved and adopted  
28 the implementation schedule, setting in relevant part the following deadlines:

- a. **Deadline for Defendants to provide SSI (the settlement administrator) with the Class List:** within 30 calendar days after the Court’s preliminary approval of the Settlement.
- b. **Deadline for SSI to mail the Notice of Settlement to Class Members:** within 10 business days after SSI receives the Class List.
- c. **Deadline for State Class Members to postmark requests to opt-out or file objections to the Settlement (“Notice Deadline”):** 60 days after Notice of Settlement are initially mailed.
- d. **Deadline for SSI to provide all counsel with a report showing (i) the names of Settlement Class Members; (ii) the Individual Settlement Payments owed to each Settlement Class Members; (iii) the final number of Settlement Class Members who have submitted objections or valid letters requesting exclusion from the Settlement; (iv) the estimated average and median recoveries per State Class Member; (v) the largest and smallest estimated recoveries to State Class Members; and (vi) the number of undeliverable Notices of Settlement:** within 10 business days after the Notice Deadline.

(*Id.*, ¶ 17);

5. **WHEREAS**, Plaintiffs’ motions for final approval and for approval of attorneys’ fees and costs and for service award are to be filed by December 23, 2022 (*Id.*, ¶¶ 14-15);

6. **WHEREAS**, the Final Approval Hearing is set for hearing on March 1, 2023 at 1:30 p.m. in Courtroom 6, 14th Floor of the above-captioned Court, over three months following Plaintiffs’ scheduled deadline to file their motions for approval and for fees and costs (*see Id.*, ¶ 16);

7. **WHEREAS**, pursuant to the Preliminary Approval Order, Defendants were required to provide SSI with the Class List by September 28, 2022; Notices of Settlement were scheduled to be mailed on October 13, 2022; the Notice Deadline was scheduled to expire on December 12, 2022; and the deadline for SSI to provide counsel with the post-notice administration report was December 26, 2022;

8. **WHEREAS**, Defendants provided SSI with the Class List on September 28, 2022;

1 9. **WHEREAS**, the Parties are informed that the settlement administrator, SSI, had  
 2 difficulties obtaining sufficient envelopes for the mailing of the Notices of Settlement to State Class  
 3 Members and Collective Members by October 13, 2022, but these issues which have since been  
 4 resolved;

5 10. **WHEREAS**, the Parties determined that approximately 235 Aggrieved Employees  
 6 are neither State Class Members nor Collective Members, and that neither Notice of Settlement  
 7 indicate the number of workweeks worked by Aggrieved Employees;

8 11. **WHEREAS**, the Parties agree that the following Notice of Settlement attached as  
 9 Exhibit 1<sup>1</sup> should be sent to all State Class Members and Aggrieved Employees in lieu of the  
 10 operative Notice of Class Action Settlement (ECF 85-1, Ex. C);

11 12. **WHEREAS**, the Parties agree that the operative notice administration deadlines  
 12 should be modestly extended to allow the Parties sufficient time to obtain approval regarding the  
 13 Notice of Settlement to Aggrieved Employees who are neither State Class Members nor Collective  
 14 Members, and in light of delays to obtain sufficient envelopes to facilitate the notice process.

15 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED:**

- 16 1. The Parties respectfully request that the Notice of Settlement attached as **Exhibit 1** should  
 17 be sent to all State Class Members and Aggrieved Employees in lieu of the operative  
 18 Notice of Class Action Settlement (ECF 85-1, Ex. C); and  
 19 2. The operative notice administration deadlines set forth in the Court’s Preliminary  
 20 Approval (ECF 89) be modified as follows, leaving all other deadlines undisturbed:

Event	Operative Deadline Pursuant to ECF 89	Proposed Modified Deadline
<u>Deadline for SSI to mail the Notice of Settlement to Class Members</u>	Within 10 business days after SSI receives the Class List	Within 7 days of the Court’s order granting the Parties’ Stipulation to Amend Notice of Settlement and Associated Settlement Administration Deadlines

27 <sup>1</sup> A redlined version of this Notice of Settlement, which includes non-redlined edits as authorized  
 28 under the order granting preliminary approval (*see* ECF 89, ¶¶ 11, 13), is attached as Exhibit 2.

Event	Operative Deadline Pursuant to ECF 89	Proposed Modified Deadline
<p>1 <u>Deadline for Plaintiffs to file</u>                  2 <u>their motions for final</u>                  3 <u>approval and for approval of</u>                  4 <u>attorneys' fees and costs and</u>  <u>for service award</u></p>	<p>December 23, 2022</p>	<p>January 23, 2023</p>

5 Dated: October 21, 2022

*/s/ Michelle S. Lim* \_\_\_\_\_

6 Carolyn H. Cottrell  
 7 Ori Edelstein  
 8 Michelle S. Lim  
**SCHNEIDER WALLACE**  
**COTTRELL KONECKY LLP**

9 *Attorneys for Plaintiffs and the Putative*  
 10 *Class and Collective*

11  
 12 Dated: October 21, 2022

*/s/ Oscar E. Peralta* \_\_\_\_\_

13 Barbara I. Antonucci  
 14 Sarah K. Hamilton  
 15 Oscar E. Peralta  
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**PROPHETE LLP**

16 *Attorneys for Defendants*  
 17 FRONTIER MANAGEMENT LLC, FRONTIER  
 18 SENIOR LIVING, LLC and GH SENIOR LIVING,  
 19 LLC dba GREENHAVEN ESTATES ASSISTED  
 20 LIVING

**ORDER**

1 Plaintiffs Joshua Wright, Loretta Stanley, Haley Quam, and Aiesha Lewis (“Plaintiffs”) and  
2 Defendants Frontier Management LLC, Frontier Senior Living, LLC, and GH Senior Living, LLC  
3 dba Greenhaven Estates Assisted Living (collectively, “Defendants”) (Plaintiffs and Defendants are  
4 collectively referred to as the “Parties”), have stipulated to (1) approve a revised Notice of Class  
5 Action Settlement to be sent to Aggrieved Employees and State Class Members; (2) modify the  
6 deadline for the settlement administrator to mail Notices of Settlement to all State Class Members,  
7 Collective Members, and Aggrieved Employees; and (3) request an extension to Plaintiffs’ deadline  
8 to file their motions for final approval and for approval of attorneys’ fees and costs and for service  
9 awards.

10 Having considered the Parties’ stipulation, and for good cause shown, the Parties’ Stipulation  
11 to Amend Notice of Settlement and Associated Settlement Administration Deadlines is **GRANTED**  
12 as follows:

- 13 (1) **Exhibit 1** to the Parties’ Stipulation is approved and shall be sent to all State Class  
14 Members and Aggrieved Employees in lieu of the operative Notice of Class Action  
15 Settlement (ECF 85-1, Ex. C).
- 16 (2) The notice administration deadline for SSI to mail the Notice of Settlement to Class  
17 Members as set forth in ECF 89, para. 17, shall be modified from “[w]ithin 10 business  
18 days after SSI receives the Class List” to “within 7 days of this order granting the Parties’  
19 Stipulation to Amend Notice of Settlement and Associated Settlement Administration  
20 Deadlines.”
- 21 (3) The deadline for Plaintiffs to file their motions for final approval and for approval of  
22 attorneys’ fees and costs and for service awards shall be continued from December 23,  
23 2022, to January 23, 2022.
- 24 (4) No further deadlines set forth in ECF 89 shall be disturbed by this order.
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**IT IS SO ORDERED.**

Dated: October 21, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE