

COHELAN KHOURY & SINGER
605 C Street, Suite 200
San Diego, CA 92101

1 **THE MARKHAM LAW FIRM**
David R. Markham (SBN 71814)
2 dmarkham@markham-law.com
3 Lisa R. Brevard (SBN 323391)
lbrevard@markham-law.com
4 888 Prospect Street, Suite 200
La Jolla, CA 92037
5 Telephone: (619) 399-3995/Facsimile: (619) 615-2067

6 **COHELAN KHOURY & SINGER**
Isam C. Khoury (SBN 58759)
7 ikhoury@ckslaw.com
8 Michael D. Singer (SBN 115301)
msinger@ckslaw.com
9 Maggie K. Realin (SBN 263639)
mrealin@ckslaw.com
10 605 C Street, Suite 200
San Diego, CA 92101
11 Telephone: (619) 595-3001/Facsimile: (619) 595-3000

12 Attorneys for Plaintiffs

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

15 JENNIFER WARD, an individual,
16 SACORA BESABE, an individual, on
behalf of themselves and all others similarly
17 situated,
18 **Plaintiffs,**

19 v.

20 SUTTER VALLEY HOSPITALS, a
21 California corporation; and DOES 1 through
22 100, inclusive,
23 **Defendants.**

Case No. 2:19-cv-00581-KJM-AC
CLASS ACTION
The Honorable Kimberly J. Mueller
Courtroom 3

**STIPULATION TO REMAND ACTION FOR
SETTLEMENT PURPOSES and ORDER**

Action filed: February 13, 2019
Action removed: April 3, 2019
Trial date: Not set

1 **TO THE HONORABLE COURT:**

2 Plaintiffs Jennifer Ward and Sacora Besabe (“Plaintiffs”) and Defendant Sutter Valley
3 Hospitals (“Defendant”) (collectively, the “Parties”), through counsel of record, for settlement
4 purposes only, stipulate to and request an order remanding this action to the Superior Court of
5 California, County of Sacramento, Case No. 34-2020-00279954-CU-OE-GDS, on the
6 following basis:

7 On February 13, 2019, Plaintiff Jennifer Ward filed a class action complaint against
8 Defendant in the Sacramento Superior Court alleging causes of action for Defendant’s failure
9 to pay wages for all time worked, including minimum and overtime wages, to provide
10 compliant rest and meal periods, to provide accurate itemized wage statements, to pay all
11 wages due during employment and at separation from employment, and for violation of
12 California’s Unfair Competition Law. On April 3, 2019, the action was removed to this Court.
13 On June 2, 2020, Plaintiff filed an amended class action complaint adding Sacora Besabe as a
14 named Plaintiff and a cause of action for Defendant’s failure to reimburse business-related
15 expenses (“Ward Class Action”).

16 On June 4, 2020, Plaintiff Jennifer Ward filed the PAGA Representative Action
17 Complaint under the Private Attorneys General Act (“PAGA”), Labor Code sections 2698, *et*
18 *seq.*, against Defendant in the Sacramento Superior Court, Case No. 34-2020-00279954-CU-
19 OE-GDS, seeking PAGA Civil Penalties for Defendant’s failure to pay wages for all time
20 worked, including minimum and overtime wages, to reimburse business-related expenses, to
21 provide compliant rest and meal periods, to provide accurate itemized wage statements, and to
22 pay all wages due at separation from employment (“Ward PAGA Action”).

23 On February 1, 2024, the Parties in this action and the Ward PAGA Action (collectively,
24 “the Actions”) engaged in good faith, arms’-length negotiations and, after a full day of
25 mediation facilitated by Michael E. Dickstein, reached agreement on the principal terms of the
26 proposed settlement of both the Actions, which will ultimately require court approval.

27 The Parties have further agreed that the settlement is more appropriately resolved in the
28 Superior Court of California, County of Sacramento, where the Ward PAGA Action has been

1 pending.

2 WHEREFORE, the Parties hereby stipulate that good cause exists to remand the settled
3 action to Superior Court of California, County of Sacramento, Case No. 34-2020-00279954-
4 CU-OE-GDS, for settlement purposes only. This stipulation is without prejudice to rights,
5 claims, defenses and arguments of all parties.

6 **SO STIPLULATED.**

7 THE MARKHAM LAW FIRM

8 /s/ Lisa Brevard

9 Dated: July 3, 2024

By: _____

10 David R. Markham
11 Lisa Brevard

12 Attorneys for Plaintiff JENNIFER WARD

13 GBG LLP

14 /s/ Thomas E. Geidt

15 Dated: July 3, 2024

By: _____

16 Thomas E. Geidt
17 Teresa W. Ghali

18 Attorneys for Defendant SUTTER VALLEY
19 HOSPITALS
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ORDER

On June 27, 2024, the Parties to the above-referenced Class Action filed a Stipulation to Remand Action for Settlement Purposes. The Court having reviewed the stipulation and good cause appearing, orders as follows:

1. The Parties' stipulation is approved; and
2. This action is hereby remanded to the Superior Court of California, County of Sacramento, Case No. 34-2020-00279954-CU-OE-GDS.

IT IS SO ORDERED.

DATED: July 3, 2024.



CHIEF UNITED STATES DISTRICT JUDGE