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11 Attorneys for Plaintiffs, JENNIFER WARD and SACORA BESABE on behalf of
12 themselves and on behalf of a Class of all other persons similarly situated

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

15
16 JENNIFER WARD, an individual;
17 SACORA BESABE, an individual; on
18 behalf of herself and on behalf of a
19 Class of all other persons similarly
situated,

20 Plaintiff,

21 v.

22
23 SUTTER VALLEY HOSPITALS, a
24 California corporation, and DOES 1
through 100, inclusive,

25
26 Defendants.

Case No. 2:19-CV-00581-KJM-AC
CLASS ACTION

Assigned for All Purpose To:
Hon. Kimberly J. Mueller
Courtroom 3

**NOTICE OF PLAINTIFFS' RENEWED
MOTION TO CONDITIONALLY
CERTIFY COLLECTIVE ACTION
PURSUANT TO 29 U.S.C. § 216(b) OF
THE FLSA**

Date: January 27, 2023
Time: 10:00 am
Courtroom: 3

Complaint Filed: February 13, 2019
First Amend. Complaint Filed: June 6, 2020
Trial: TBD

1 **TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on **January 27, 2023** at **10:00 a.m.**, or
3 as soon thereafter as the matter may be heard in the above-entitled court, located at the
4 Robert T. Matsui United States Courthouse: 501 I St # 4200, Sacramento, CA 95814,
5 Plaintiffs will and hereby do move this Court for an Order:

6 1. Conditionally certifying this case as a collective action on behalf of All
7 persons who are employed or have been employed by Sutter Valley Hospitals in the
8 State of California who, for the three years prior to the filing of this class action on
9 **February 13, 2019**, have worked as non-exempt Surgical Technicians, or in related
10 positions, through the resolution of this case;

11 2. Authorizing the parties to send Notice pursuant to 28 U.S.C. Section
12 216(b) (in forms to be approved by the Court and attached as **Exhibit A** to the
13 Declaration of Jeffrey T. Green (“Green Decl.”), submitted herewith) to all potential
14 Opt-In Plaintiffs that they may join this action and assert claims under the Fair Labor
15 Standards Act, 29 U.S.C. section 206.

16 3. Ordering Defendant to Produce a Putative Collective Action Member List
17 setting forth the last known addresses, telephone numbers, email addresses, dates of
18 training, and partial social security numbers of all putative collective action members
19 within ten (10) days this Court grants Plaintiffs’ Motion for Conditional Certification,
20 if this Court is inclined to do so;

21 4. Extending Tolling through the date the Defendant produces a putative
22 collective action member list, in the event this Court grants Plaintiffs’ Motion for
23 Collective Action Certification herein.

24 The motion for conditional certification will be based on this Notice, the
25 Memorandum of Points and Authorities and declarations filed herewith, and the
26 pleadings and papers filed herein.

27 [signature on following page]

28 ///

1 DATED: November 21, 2022

QUINTILONE & ASSOCIATES

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4
5 RICHARD E. QUINTILONE II, ESQ.
6 JEFFREY T. GREEN, ESQ.
7 Attorneys for Plaintiff, JENNIFER
8 WARD and SACORA BESABE on
9 behalf of themselves and on behalf of
10 a Class of all other persons similarly
11 situated.
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PROOF OF SERVICE

I, the undersigned, declare as follows:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action. I am an employee of or agent for Quintilone & Associates, whose business address is 22974 El Toro Rd., Suite 100, Lake Forest, CA 92630-4961.

On the date below, I served the foregoing document(s):

NOTICE OF PLAINTIFFS' RENEWED MOTION TO CONDITIONALLY CERTIFY COLLECTIVE ACTION PURSUANT TO 29 U.S.C. § 216(b) OF THE FLSA

on the following parties in this action addressed as follows:

SEE ATTACHED SERVICE LIST

 (BY MAIL) I caused a true copy of each document, placed in a sealed envelope with postage fully paid, to be placed in the United States mail at Lake Forest, California. I am "readily familiar" with this firm's business practice for collection and processing of mail, that in the ordinary course of business said document(s) would be deposited with the U.S. Postal Service on that same day. I understand that the service shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained on this affidavit.

 (BY PERSONAL SERVICE) I delivered each such document by hand to Brian Long, Esq.

 (BY OVERNIGHT DELIVERY) I caused a true copy of each document, placed in a sealed envelope with delivery fees provided for, to be deposited in a box regularly maintained by Federal Express or Overnight Express. I am readily familiar with this firm's practice for collection and processing of documents for overnight delivery and know that in the ordinary course of Quintilone & Associates' business practice the document(s) described above will be deposited in a box or other facility regularly maintained by Federal Express or Overnight Express or delivered to a courier or driver authorized by Federal Express or Overnight Express to receive documents on the same date it is placed at Quintilone & Associates for collection.

 X **(BY E-MAIL)** I caused a true and correct copy of each document to be delivered by the Firm's and/or Court's Electronic Mail system.

 (BY FACSIMILE) By use of facsimile machine number 949.458.9679, I served a copy of the within document(s) on the above interested parties at the facsimile numbers listed above. The transmission was reported as complete and without error. The transmission report was properly issued by the transmitting facsimile machine.

Executed on **November 21, 2022** at **Lake Forest, California**.

 (FEDERAL) I declare under penalty of perjury that the above is true and correct.

 X **(STATE)** I declare under penalty of perjury that the above is true and correct.



SKYLAR CHRISTIE

SERVICE LIST

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of themselves and on behalf of a Class of
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Q&A Case No. 18.01426