

NOTICE OF PRIVATE ATTORNEY GENERAL ACT SETTLEMENT AND RELEASE

*Teresa Brooke v. Aurora Behavioral Healthcare - Santa Rosa, LLC
and Signature Healthcare Services, LLC*
Sonoma County Superior Court Case No. SCV-261926

<<Contact>>

<<Address>>

<<City, State Zip>>

Enclosed please find: **One check in the amount of \$<<SetAmt>> (PAGA Penalties Payment)**

You are receiving this check as a result of a lawsuit brought by an individual on behalf of the State of California.

Background

Plaintiff Teresa Brooke (“Plaintiff”), a former Chief Nursing Officer, filed a lawsuit against Defendants Aurora Behavioral Healthcare-Santa Rosa, LLC and Signature Healthcare Services, LLC (“Defendants”) pursuant to the California Private Attorneys General Act of 2004 (“PAGA”). This law allows Plaintiff to stand in the shoes of the State of California and recover penalties on its behalf and on behalf of those employees aggrieved by Defendants’ alleged violations of the California *Labor Code*.

Specific to Aurora Santa Rosa, Plaintiff’s lawsuit alleges occupational health and safety and other labor violations resulted from chronic and severe understaffing, overcrowded nurses stations, unsafe placement of patient seclusion/restraint rooms inside nurses’ stations, administration of medication from the nurses’ stations, insufficient handwashing stations, insufficient seating for Nursing department employees, and failure to implement an Injury and Illness Prevention Program. Additionally, the lawsuit alleges that non-exempt employees were not provided full meal breaks and rest breaks. Finally, the lawsuit alleges that Defendants imposed an illegal confidentiality agreement restricting or discouraging the sharing and disclosing of information regarding employee working conditions.

Plaintiff seeks civil penalties on behalf of aggrieved current and former employees who worked at Aurora Santa Rosa Hospital at any time between April 29, 2016 and June 4, 2021.

Defendants deny these allegations and denies that they owe any penalties to the government or to you. Nevertheless, to avoid further costs and time in defending the case, Defendants have settled the case. By doing so, Defendants are not admitting they have done anything wrong.

On **August 25, 2021**, the Superior Court of the State of California approved the settlement.

Settlement Terms

A portion of the penalties recovered by this settlement is being paid to the State of California and a portion is being paid to each Covered Employee. A Covered Employee is a person who worked for Aurora Santa Rosa Hospital at any time between April 29, 2016 and June 4, 2021. You are a Covered Employee.

A PAGA penalties payment was calculated on a *pro rata* basis based on the number of weeks you worked for Aurora Santa Rosa Hospital between April 29, 2016 and June 4, 2021.

The settlement includes programmatic relief measures. These measures include changes to Defendants' confidentiality policies. You may receive separate notifications about changed policies. The settlement requires Defendants to engage a consultant to develop an Injury & Illness Prevention Program. The settlement also requires Defendants to regularly convene the Patient Safety, Emergency Management & Environment of Care Committee, Staffing Committee, and Quality Council, and to include two non-management employee representatives from the Nursing Department on these committees. The settlement also provides for the engagement of an Independent Expert to evaluate Aurora Santa Rosa Hospital's policies, practices, staffing models and budgets, structural layout, and/or wage rates. Further details about the settlement are contained in the Joint Stipulation for PAGA Settlement, which can be found online at <https://www.valerian.law/aurora>.

This settlement resolves any and all civil penalties which could be assessed upon and collected from Defendants by the State of California for the alleged *Labor Code* violations that are stated in two written notices provided to the California Labor & Workforce Development Agency prior to this litigation. The release is limited to Aurora Santa Rosa Hospital and the April 29, 2016 and June 4, 2021 period. Copies of these notices to the LWDA and the details of the settlement release can be found on the above website.

This release does not seek to release any remedies available to employees, including you, for violations of the California *Labor Code* other than those penalties which could be recovered under PAGA in this lawsuit. You are precluded from filing a PAGA claim for civil penalties for violations alleged in this lawsuit.

Please Note: As a result of the settlement, you are receiving a check. You will not be retaliated against for cashing the penalties settlement check. It is entirely up to you if you cash your check or not. You have 180 days from the date of mailing to deposit the check. Leftover funds do not revert to Defendants, but instead will be given to a nonprofit organization.

Questions

Do not call or write the Court or Office of the Clerk to ask questions about the settlement. If you have any questions, you may call or write to either Plaintiff's Counsel or Defendants' Counsel or the Settlement Administrator as noted below:

<p><u>Plaintiff's Counsel</u> Xinying Valerian VALERIAN LAW, P.C. 1530 Solano Avenue Albany, CA 94707 Telephone: (888) 686-1918 xinying@valerian.law</p> <p>Qiaojing Zheng SANFORD HEISLER SHARP LLP 111 Sutter Street, Suite 975 San Francisco, CA 94104 Telephone: (415) 795-2020 qzheng@sanfordheisler.com</p>	<p><u>Settlement Administrator</u> ILYM Group, Inc. P.O. Box 2031 Tustin, CA 92781 Telephone: 888-250-6810 claims@ilymgroup.com</p> <p><u>Defendants' Counsel</u> Jeffrey Ranen, Derek Sachs, Ashleigh Kasper LEWIS BRISBOIS BISGAARD & SMITH LLP 633 West 5th Street, Suite 4000 Los Angeles, California 90071 Telephone: (213) 250-1800 jeffrey.ranen@lewisbrisbois.com derek.sachs@lewisbrisbois.com ashleigh.kasper@lewisbrisbois.com</p>
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