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14 dba Glenoaks Convalescent Hospital

15
16 **UNITED STATES DISTRICT COURT**

17 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

18 DAKOTA MEDICAL, INC., individually,
and on behalf of all others similarly
19 situated,

20 Plaintiff,

21 v.

22 REHABCARE GROUP, INC., *et al.*,

23 Defendants.
24
25
26
27
28

Case No.: 1:14-cv-02081-DAD-BAM

Judge: Hon. Dale A. Drozd

**Notice of Motion and Plaintiff's Motion
for Order Approving Additional Class
Distributions**

Date: December 17, 2019

Time: 9:30 A.M.

Courtroom 5

PAYNE & FEARS LLP
ATTORNEYS AT LAW
200 N. PACIFIC COAST HIGHWAY, SUITE 825
EL SEGUNDO, CALIFORNIA 90245
(310) 689-1750

1 PLEASE TAKE NOTICE that on December 17, 2019, commencing at 9.30 A.M., in
2 Courtroom 5 at the Robert E. Coyle Federal Courthouse, 2500 Tulare Street, Fresno,
3 California, 93721, Plaintiff Dakota Medical, Inc., dba Glenoaks Convalescent Hospital,
4 will move for entry of an order approving additional class distributions. The motion seeks
5 an order directing settlement administrator KCC, LLC, to do the following:

- 6
7 1. No later than December 31, 2019, distribute \$2,031,730.66 to 3,520 class
8 members who have not provided valid taxpayer identification numbers to KCC,
9 and include in the distribution a notice that payment has been limited to \$599.99
10 due to the members' failure to provide a valid taxpayer identification number
11 and a form for the member to provide a valid taxpayer identification number;
- 12
13 2. After January 1, 2020, but no later than January 31, 2020, distribute
14 \$1,141,434.21 to 3,180 class members who have not provided valid taxpayer
15 identification numbers to KCC, and include in the distribution the same notice
16 and form referenced in paragraph 1;
- 17
18 3. No later than December 31, 2019, redistribute or credit to class member
19 accounts a total of \$671,941.88, the sum of all checks not cashed in
20 Distributions 3A and 3B, to all class members that cashed checks in those
21 distributions, and to calculate payments to each member in accordance with
22 paragraph 3.B of the Class Action Settlement Agreement (ECF No. 171); and
23
- 24 4. No later than June 15, 2020, report to the Court concerning the results of those
25 distributions and provide an accounting of funds then remaining in the class
26 settlement fund.

27
28 This motion is based on Plaintiff's Memorandum of Points and Authorities filed

CERTIFICATE OF SERVICE

Dakota Medical, Inc. vs. RehabCare Group, Inc., et al.
Case No. 1:14-cv-02081-DAD-BAM

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I hereby certify that at the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 200 N. Pacific Coast Highway, Suite 825, El Segundo, CA 90245.

On November 19, 2019, I served a true copy of the following document(s) described as **Notice of Motion and Plaintiff’s Motion for Order Approving Additional Class Distributions** on the interested parties in this action via the United States District Court CM/ECF system on all parties or persons requiring notice.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on November 19, 2019, at Los Angeles, California.

/s/ Brenda Mingleton

4838-7269-3420.1

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