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Class Counsel

**DISTRICT COURT
CLARK COUNTY, NEVADA**

BRITTINEY CISNEROS, on behalf of
herself and all others similarly situated,

Plaintiff,

vs.

PRESTIGE SENIOR LIVING, L.L.C.;
HENDERSON VENTURES TOO, L.L.C.;
DOES 1 through 50; inclusive,

Defendants.

Case No.: A-22-863133-C
Dept.: 19

**ORDER GRANTING
FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

On July 30, 2025, this Court considered the Joint Motion for Final Approval of Class Action Settlement (“Motion”) at hearing. Having fully considered the Motion, comments of counsel, the papers and pleadings on file, and all supporting legal authorities, the Court orders as follows:

1 IT IS HEREBY ORDERED THAT:

2 1. The Court adopts the defined terms in the Joint Stipulation of Settlement
3 and Release on file herein (referenced below as the “Settlement” or the “Agreement”).

4 2. This Court has jurisdiction over the subject matter of this litigation and
5 personal jurisdiction over the named-Plaintiff, all settlement class members, and
6 Defendants.

7 3. The Court confirms as final the following settlement class pursuant to
8 Nev. R. Civ. P. 23: “all hourly paid non-overtime exempt persons employed by
9 Defendants in the state of Nevada who earned less than 1 ½ times the applicable
10 minimum wage and who worked over eight (8) hours in a twenty-four (24) hour period
11 at any time from December 27, 2019 until April 3, 2025.”

12 4. The Court confirms the appointment of Brittiney Cisneros and Shania Kim
13 Kahana as the Class Representatives and the enhancement payments of \$15,000.00
14 to Brittiney Cisneros and \$15,000.00 to Shania Kim Kahana, as set forth in the
15 Settlement.

16 5. The Court confirms the appointment of Christian Gabroy, Esq., and Kaine
17 Messer, Esq., of Gabroy | Messer and Mark Thierman, Esq., Joshua Buck, Esq., and
18 Leah Jones, Esq., of Thierman Buck LLP as class counsel for the settlement class and
19 approves their requests for attorneys’ fees of \$166,666.67 and actual litigation costs of
20 \$6,639.15, respectively.

21 6. The class notice was distributed to class members, pursuant to this
22 Court’s orders, and fully satisfied the requirements of Rule 23 of the Nevada Rules of
23 Civil Procedure and any other applicable law.

24 7. Pursuant to Rule 23 of the Nevada Rules of Civil Procedure, the Court
25 grants final approval to this Settlement and finds that the settlement is fair, reasonable,
26 and adequate in all respects, including the attorneys’ fees, costs, and enhancement
27 award provisions. The Court specifically finds that the settlement confers a substantial
28 benefit to settlement class members, considering the relative strength of plaintiff’s

1 claims and defendants' defenses and the risk, expense, complexity, and duration of
2 further litigation. The response of the class supports settlement approval. No class
3 members objected to the settlement and none requested exclusion from the settlement.
4 The Court further finds that the settlement is the result of arms'-length negotiations
5 between experienced counsel representing the interests of both sides, which supports
6 approval of the settlement in accordance with the standards set forth in the joint motion
7 for final approval of settlement.

8 8. The Court finds that, as of the date of this Order, each and every class
9 member has waived and released claims as set forth in the Settlement and Notice Of
10 Proposed Settlement And Hearing Date For Court Approval (the "Notice").

11 9. The Court finds that the Claims Administrator ILYM Group, Inc. is entitled
12 to \$7,950.00 for administrative fees.

13 10. The Court directs the parties to effectuate the settlement terms as set
14 forth in the Agreement and the Order Granting Preliminary Approval of Class Action
15 Settlement entered herein on April 3, 2025 ("Preliminary Approval Order"). Consistent
16 with the Agreement and Preliminary Approval Order, the Claims Administrator shall
17 provide Defendants with the calculation of the aggregate amount of the payments due
18 under the Agreement no later than five (5) business days following notice of entry of
19 this Order. Provided that the Claims Administrator timely provides such calculations,
20 and consistent with the Agreement and Preliminary Approval Order, Defendants shall
21 fund the settlement account opened and maintained by the Claims Administrator with
22 the appropriate amount due under the Agreement no later than thirty (30) business
23 days following notice of entry of this Order.

24 11. The Complaint is dismissed with prejudice.

25 12. This Court hereby permanently enjoins Plaintiff and all Class Members
26 who have not timely requested exclusion from the Settlement in accordance with the
27 Agreement's terms from filing or prosecuting any claims, suits, or administrative
28 proceedings (including filing claims with the Nevada Office of the Labor Commissioner)

1 regarding claims released by the Settlement. Class Members must withdraw any
2 claims with prejudice.

3 13. The Court retains jurisdiction to enforce the terms of the settlement,
4 including the payment of the settlement fund.

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6 **IT IS SO ORDERED.**

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8 Dated this 31st day of July, 2025

9 

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11 **FF5 A49 8B8C 164A**
12 **Crystal Eller**
13 **District Court Judge**

14 Respectfully submitted by:

15 GABROY | MESSER

16 By: /s/ Christian Gabroy
17 Christian Gabroy
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Approved as to form and content:

ALARIE LAW

By: /s/ Michelle Alarie
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New matter - Cisneros v. Prestige Senior Living, L.L.C., et al.

Kaine Messer <kmesser@gabroy.com>

To: Michelle Alarie <malarie@alarielaw.com>

Cc: "Freimann, Michael A." <mfreimann@fbtlaw.com>, "Grant, Meredith" <mgrant@fbtlaw.com>, Josh Buck <josh@thiermanbuck.com>, Christian Gabroy <christian@gabroy.com>, GM Assista Gabroy Messer Careers <careers@gabroy.com>, "Leah L. Jones" <leah@thiermanbuck.com>

Thanks, Michelle.

Attached please find a clean copy edited accordingly that we will proceed to submit.

Thanks again and have a great day,

GABROY | MESSER Kaine Messer, Esq.
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On Wed, Jul 30, 2025 at 2:59 PM Michelle Alarie <malarie@alarielaw.com> wrote:

Good afternoon Kaine,

There is a grammatical edit needed in paragraph 5, but otherwise you have my permission to include my electronic signature for submission. Thank you

Thank you, and take care,
Michelle

Michelle D. Alarie, Esq.
ALARIE Law
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malarie@alarielaw.com

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Brittainy Cisneros, Plaintiff(s)

CASE NO: A-22-863133-C

7 vs.

DEPT. NO. Department 19

8 Prestige Senior Living LLC,
9 Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/31/2025

15 Mark Thierman legalfilings@thiermanbuck.com

16 Josh Buck josh@thiermanbuck.com

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