

dc&m

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March 6, 2023

E-File with FileTime

Honorable Christine Hortick
Monitoring Court Judge
Bexar County Courthouse, Room 422
San Antonio, Texas 78205

Re: Kenneth Kesler, II vs. Emerus/BHS SA Thousand Oaks, et al; Cause No. 2020-CI-18623
Our File No. 18943.0001

Your Honor:

This case has resolved but requires a Hearing for Final Approval of Class Action Settlement currently set in Presiding Court on Monday, May 15, 2023 at 9:00am.

Very truly yours,

DAVIS, CEDILLO & MENDOZA, INC.



Ricardo G. Cedillo

cc: Counsel on Record

CAUSE NO. 2020-CI-18623

KENNETH KESLAR II, individually and on behalf of all others similarly situated,

Plaintiff,

v.

EMERUS / BHS SA THOUSAND OAKS, LLC d/b/a BAPTIST EMERGENCY HOSPITAL - SHAVANO PARK, EMERUS HOSPITAL PARTNERS, LLC, and EMERUS HOLDINGS INC.,

Defendants.

IN THE DISTRICT COURT

FILED
DISTRICT CLERK
BEXAR CO. TEXAS

2023 MAR -2 A 9:37

DEPUTY

BY _____

73rd JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

SECOND AMENDED AGREED NOTICE OF HEARING

Please take notice that the parties' Plaintiff's Unopposed Motion for Final Approval of Class Action Settlement is set for hearing on **Monday, May 15, 2023, at 9:00 a.m.** in Presiding Court of Bexar County, Texas.

YOU MUST PARTICIPATE IN THE HEARING BY LOGGING ON TO ZOOM

OR BY APPEARING IN PERSON AT THE COURTHOUSE.

TO APPEAR BY ZOOM: The link to the Presiding Court ZOOM is:

<https://zoom.us/my/bexarpresidingcourtzoom>. The ZOOM telephone access number for

Presiding Court is: 1-346-248-7799. The Presiding Court ZOOM access code is: 917-895-6796.

TO APPEAR IN PERSON: At the designated time above, report in-person to the Presiding District Courtroom (Room 1.09) located at the Bexar County Courthouse, 100 Dolorosa, San Antonio, Texas, 78205. If you appear in person and plan to introduce documents and evidence during your hearing, you must be prepared to share them on Zoom using a personal computer or smart device equipped with a wireless modem or air card and Zoom app or Zoom software installed. Wi-Fi access may not be available at court.

1. Time announcement: 10 minutes.
2. Contact Information for all attorneys:

Attorneys for Plaintiff Kenneth Keslar, II:

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and

Attorney for Defendants:

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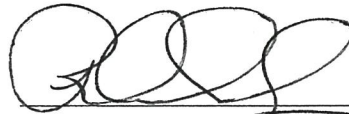
Kevin M. McGinty (*Pro Hac Vice*)
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3. Plaintiff and Defendants are ready.
4. No interpreter is required.
5. No witnesses will be called.
6. The total number of participants in the call is 7.
7. A record of the hearing is required.

Signed this 2nd day of March 2023.



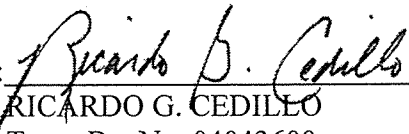
JUDGE PRESIDING

Rosie Alvarado
Presiding Judge
438th Judicial District
Bexar County, Texas

Respectfully submitted,

DAVIS CEDILLO & MENDOZA, INC.

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By: 
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By: /s/ Kevin M. McGinty (with permission)

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HOSPITAL PARTNERS, LLC, and
EMERUS HOLDINGS, INC.**

APPROVED AS TO FORM:

By: /s/ Philip H. Hilder (with permission)

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By: /s/ Radha Raghavan (with permission)

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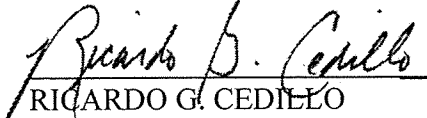
New York, NY 10022

ATTORNEYS FOR PLAINTIFF

AND PROPOSED CLASS

CERTIFICATE OF SERVICE

I certify that on this 22nd day of February, 2023, a true and correct copy of the foregoing document has been delivered to all counsel of record herein in accordance with the Texas Rules of Civil Procedure.


RICARDO G. CEDILLO