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Attorneys for PENNY A. SCOTT, on behalf of herself
and other similarly-situated employees

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

PENNY A. SCOTT, on behalf of
herself and other similarly-situated
employees,

Plaintiff,

v.

BLACKSTONE CONSULTING,
INC., a California Corporation; and
DOES 1 Through 10, inclusive,

Defendants.

CASE NO. 21CV1470 MMA (KSC)

CLASS ACTION

**DECLARATION OF PENNY A.
SCOTT IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: July 10, 2023

Time: 2:30 p.m.

Judge: Michael M. Anello

Ctrm.: 3D (3rd Floor)

Complaint filed: May 21, 2021

Removal Date: August 18, 2021

Trial date: Not set

1 I, Penny A. Scott, declare:

2 1. I am over 18 years of age and am a named plaintiff in this lawsuit. I
3 am thoroughly familiar with and have personal knowledge of the facts set forth
4 in this declaration.

5 2. I submit this declaration in support of the Motion for Preliminary
6 Approval of Class Action Settlement in my case. If called as a witness, I would
7 competently testify to the below facts based on my personal knowledge.

8 3. From approximately December 2017 through March 2021, I was
9 employed by Defendant Blackstone Consulting, Inc. (“BCI”) as a non-exempt
10 Security Officer at the Kaiser Permanente Zion Medical Center in San Diego
11 County.

12 4. During my employment, I became familiar with BCI’s business and
13 employment practices, which led me to identify some of the issues alleged in the
14 complaint on file with the Court.

15 5. Shortly after my employment with BCI ended in March 2021, I
16 looked for an employment lawyer to understand my rights and the rights of my
17 BCI coworkers. Specifically, I was unhappy that BCI did not allow me to take
18 uninterrupted, on-time meal and rest periods and did not pay me all my accrued
19 vacation pay in my final paycheck. Before filing this case, I spoke with a lawyer
20 at Cohelan Khoury & Singer (“CKS”) to learn more about my rights.

21 6. Since March 2021, I have: spoken at length with various attorneys at
22 CKS; provided dozens of BCI wage statements and emails to CKS for them to
23 analyze; signed authorizations so that CKS could request additional employment
24 and payroll records from BCI; and have kept myself informed about the case by
25 speaking with attorneys at CKS. I spent a significant number of hours working on
26 my case and helping my lawyers, and I spent even more time thinking about and
27 worrying about this case.

28 7. I also made efforts to talk to coworkers and explain the case, and put

1 them in contact with my attorneys if they requested further details.

2 8. My attorneys gathered all of the relevant information, explained
3 what was going on and explained their view of this case. I filed this lawsuit as a
4 class action in May 2021.

5 9. During the lawsuit, my attorneys asked me about different policies
6 and records maintained by BCI and my experience working for BCI. We
7 exchanged emails and had telephone calls about the case from the beginning all
8 the way through to this settlement request.

9 10. I enjoyed working with my legal counsel and am satisfied that we
10 were able to come to a resolution so that a settlement will be paid out to my
11 former coworkers at BCI.

12 11. Although I am proud to have my name on this lawsuit and feel
13 vindicated by this settlement, this lawsuit has been a source of stress in terms of
14 time, effort and risk. When I decided to file this lawsuit, I was aware that this
15 action is public record. I understood that the lawsuit could continue for several
16 years and would require my participation, attention, and determination the entire
17 time. Despite these risks, I decided to serve as a class representative because it
18 was the right thing to do and I wanted to help be part of the solution.

19 12. This class action lawsuit (and the proposed settlement) is a
20 justification, in many respects, of my rights and the rights of my coworkers; I am
21 proud to have my name on the case and to have achieved this substantial
22 settlement for the other class members.

23 13. To prepare for mediation, I discussed the case in detail with my
24 attorneys, including its potential strengths and weaknesses. I believe that my
25 thorough knowledge of BCI's practices assisted them in evaluating the claims and
26 assessing the potential damages for use at mediation. I believe that my efforts
27 helped obtain the results in this case.

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1 14. I understand that I may be entitled to an additional payment for
2 acting as a class representative, and that this payment is subject to Court approval.
3 Considering the time I devoted to this case, the concerns I address above, the
4 risks, and the results achieved through the settlement, I believe that the requested
5 award of \$10,000 is reasonable.

6 I declare under penalty of perjury under the laws of the State of California
7 that the foregoing is true and correct. Executed on 4/18/2023 in San Diego,
8 California.

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11 By: Penny A. Scott
12 Penny A. Scott
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