

Larry W. Lee (State Bar No. 228175)
 lwlee@diversitylaw.com
 Nicholas Rosenthal (State Bar No. 268297)
 nrosenthal@diversitylaw.com
 Max W. Gavron (State Bar No. 291697)
 mgavron@diversitylaw.com
 Kwanporn "Mai" Tulyathan (State Bar No. 316704)
 ktulyathan@diversitylaw.com
 Shalom "Christine" Choo (State Bar No. 339947)
 christine@diversitylaw.com
DIVERSITY LAW GROUP, P.C.
 515 S. Figueroa Street, Suite 1250
 Los Angeles, CA 90071
 (213) 488-6555
 (213) 488-6554 facsimile

Attorneys for Plaintiffs and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF ALAMEDA**

CINTHIA MENDOZA and DELISHIA
 HYDE, as individuals and on behalf of all
 others similarly situated,

Plaintiffs,

vs.

PRIME NOW LLC, a Delaware limited
 liability company; and DOES 1 through 50,
 inclusive,

Defendants.

Case No.: RG20068286

(Assigned to the Hon. Evelio Grillo, Dept. 21)

**DECLARATION OF CLARA TROTTER IN
 SUPPORT OF PLAINTIFFS' MOTION FOR
 PRELIMINARY APPROVAL OF CLASS
 AND REPRESENTATIVE ACTION
 SETTLEMENT**

Date: December 20, 2022

Time: 10:00 A.M.

Dept.: 21

Reservation No.: 429567802028

Complaint Filed: July 21, 2020

FAC Filed: April 5, 2022

SAC Filed: November 4, 2022

Trial Date: None Set

1 I, Clara Trotter, hereby declare and state as follows:

2 1. I am an individual over the age of 18. I am a plaintiff in the above-referenced
3 action. I have personal knowledge of the facts set forth below and if called to testify I could and
4 would do so competently.

5 2. I was employed by Defendant Prime Now LLC ("Defendant") as a non-exempt
6 employee until about July 2019. I worked as an Amazon Whole Foods Shopper.

7 3. During my employment with Defendant, I regularly earned non-discretionary
8 incentive wages such as Surge Premiums. During periods when I earned incentive wages and
9 received sick pay during the same workweek, the sick pay was paid at my base hourly rate. As a
10 result, I was underpaid sick pay.

11 4. The underpaid sick pay was not paid to me upon separation of employment, and I
12 have yet to receive it.

13 5. Throughout my employment, I received wage statement concurrent with the
14 payment of wages. As a result of the underpayment of sick pay, the corresponding wage
15 statements I received did not list accurate rates of pay for such wages and gross and net wages
16 earned.

17 6. I understand that the class claims alleged in this action were brought on behalf of
18 other similarly situated employees, and that I am acting as a representative for the Settlement
19 Class. As a class representative, I understand that it is my responsibility to act in the best interest
20 of the Settlement Class and not my own. I am not aware of any conflicts that exist between my
21 interest and the interests of the Settlement Class that would impair or affect my ability to serve as
22 a representative for the Settlement Class.

23 7. I have and continue to be willing to assist in the investigation of this matter,
24 including meeting and/or discussing the case with my attorneys, providing necessary information
25 and documents, making myself available for trial or any further proceedings in this matter as
26 required to represent the interests of the Settlement Class. I also understand my duties and
27 responsibilities to the proposed Settlement Class and will carry out those duties as necessary.

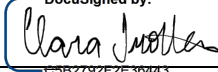
28 8. I am aware and have been aware from the inception of the case, that there are risks

1 associated with bringing a lawsuit. I accepted those risks and wanted to bring this case on behalf
2 of other employees like me.

3 9. I am proud of the result and accomplishment of this lawsuit. I feel that it is a
4 positive accomplishment and understand that other people will benefit because of the actions that
5 I have taken. I have reviewed the terms of the Settlement Agreement with my attorneys, and I
6 believe that the class settlement is fair, adequate, and reasonable.

7 I declare under penalty of perjury under the laws of the State of California that the
8 foregoing is true and correct.

9 Executed on October 28, 2022, at Los Angeles, California.

10 DocuSigned by:
11 
12 CSB2792F2E30443...
13 Clara Trotter
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28