

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 DELISHIA HYDE 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, Delishia Hyde, 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 from about August 2019, until about February 21, 2020, and on and off thereafter. I
7 worked as an Amazon Whole Foods Shopper.

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

12 4. The underpaid meal period premiums were not paid to me upon separation of
13 employment, and I have yet to receive it.

14 5. Throughout my employment, I received wage statements when I got my
15 paychecks. As a result of the underpayment of meal period premiums, the corresponding wage
16 statements I received did not list accurate rates of pay for such wages and gross and net wages
17 earned.

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

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

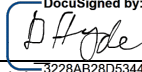
1 sat for my deposition in this case and have continued to communicate with my lawyers about
2 relevant facts and issues as they arise.

3 8. I am aware and have been aware from the inception of the case, that there is the
4 risk that if I do not win my case, then I could be liable for Defendant's litigation costs. I accepted
5 that risk in this case.

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

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

12 Executed on Nov. 7, 2022, at St. Louis, Missouri.

13 DocuSigned by:
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15 _____
16 Delishia Hyde
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