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**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
FINAL APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT**

Date: August 8, 2023

Time: 10:00 A.M.

Dept.: 21

Reservation No.: 138916486157

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 a 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 do not have any interests adverse to the Class, nor have any such issues been
18 raised or presented. I have taken all necessary steps to represent the interests of the Class,
19 including providing information and documents to my counsel and reviewing pleadings in this
20 case.

21 7. I provided information and documents to my attorneys to assist in evaluating the
22 case and claims. Around that time, my attorneys interviewed me at length by phone, and I
23 searched for and provided information and documents to my attorneys, including my offer letter,
24 pay stubs, and employment manuals. We also corresponded via email. Around the same time, I
25 reviewed the written retainer agreement with my attorneys and carefully considered whether to
26 take on the responsibility of serving as a class representative and putting my name on public
27 documents as a named plaintiff. I also reviewed the notice letter to the California Labor and
28 Workforce Development Agency that included my name on it as well as the lawsuit that would be

1 filed in Court.

2 8. In advance of the mediation, I met with my attorneys to prepare and to discuss
3 what to expect. After the mediation, I met with my attorneys to discuss the results and to
4 understand the process moving forward. In the months following, I had phone calls with my
5 attorneys about the status of the settlement negotiations.

6 9. Between when the case was filed and the mediation, I stayed in regular contact
7 with my attorneys by phone and email to discuss the status of the case and the strategy for the
8 case. I made myself available to answer questions about Defendant's policies and my experiences
9 working for Defendant.

10 10. I have also carefully reviewed the memorandum of understanding, settlement
11 agreement, amendment to the settlement agreement, and the declarations in support of the
12 motions to approve the settlement.

13 11. In total, I estimate have spent between approximately twenty-five to thirty hours
14 on this case to date.

15 12. I took significant risks, both professionally and monetarily, in acting as Class
16 Representative, seeking benefits on behalf of the Class. Because the claims alleged by me and
17 other Class Representatives involved the payment of costs to the prevailing party, I could have
18 possibly faced paying the costs of Defendant, had we not prevailed in this action. Moreover, I
19 understood that an individual case would have resolved much faster than a class action and
20 involved much less financial risk than a class action. Despite this, however, I agreed to pursue this
21 case on behalf of the Class.

22 13. Also, given that future employers may be less likely to hire individuals who have
23 filed employment-related lawsuits, particularly cases of this nature, the I also faced potential risk
24 in not being able to find suitable employment, all as a result of the filing of this case against
25 Defendant. I took these risks upon myself to the benefit of the Class.

26 14. I understand that the class claims alleged in this action were brought on behalf of
27 other similarly situated employees, and that I am acting as a representative for the Settlement
28 Class. As a class representative, I understand that it is my responsibility to act in the best interest

1 of the Settlement Class and not my own. I am not aware of any conflicts that exist between my
2 interest and the interests of the Settlement Class that would impair or affect my ability to serve as
3 a representative for the Settlement Class.

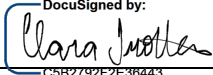
4 15. I have and continue to be willing to assist in the investigation of this matter,
5 including meeting and/or discussing the case with my attorneys, providing necessary information
6 and documents, making myself available for trial or any further proceedings in this matter as
7 required to represent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

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

13 17. I executed a general waiver of any and all claims against Defendant, including a
14 waiver of California Civil Code section 1542, which I understand was not required of other Class
15 Members.

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

18 Executed on July 12, 2023, at Los Angeles, California.

19 DocuSigned by:
20 
21 Clara Trotter
22 C5B2792F2E38443...