

Raul Perez (SBN 174687)
Raul.Perez@capstonelawyers.com
Orlando Villalba (SBN 232165)
Orlando.Villalba@capstonelawyers.com
Helga Hakimi (SBN 257381)
Helga.Hakimi@capstonelawyers.com
Roxanna Tabatabaepour (SBN 260187)
Roxanna.Taba@capstonelawyers.com
CAPSTONE LAW APC
1875 Century Park East, Suite 1000
Los Angeles, California 90067
Telephone: (310) 556-4811
Facsimile: (310) 943-0396

Larry W. Lee (State Bar No. 228175)
Lwlee@diversitylaw.com
Kristen M. Agnew (State Bar No. 247656)
kagnew@diversitylaw.com
Nicholas Rosenthal (State Bar No. 268297)
nrosenthal@diversitylaw.com
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
Telephone: (213) 488-6555
Facsimile: (213) 488-6554

Attorneys for Plaintiffs Fatima Goodarzi and Marianita Yadao

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

FATIMA GOODARZI, individually, and on
behalf of other members of the general public
similarly situated, and as an aggrieved employee
pursuant to the Private Attorneys General Act
("PAGA"),

Plaintiff,

vs.

BELMONT VILLAGE, L.P., a Delaware
limited partnership; BELMONT VILLAGE
ALISO VIEJO CA LP, a Delaware limited
partnership; BELMONT VILLAGE
BERKELEY, LLC, a Delaware limited liability
company; BELMONT VILLAGE
THOUSAND OAKS CA LP, a Delaware
limited partnership; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 20STCV15572

Assigned to the Hon. Stuart M. Rice

**DECLARATION OF FATIMA GOODARZI
IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: July 20, 2022

Time: 10:30 a.m.

Place: Department 1

Complaint Filed: April 22, 2020

DECLARATION OF FATIMA GOODARZI

I, Fatima Goodarzi, hereby declare as follows:

1. I am over eighteen years old and unless the context indicates otherwise, I have personal knowledge of the following facts and if called as a witness, I could and would testify competently to them. I am a named plaintiff in the above-captioned action, and a representative for the proposed Settlement Class. I make this declaration in support of the Motion for Preliminary Approval of Class Action Settlement.

2. I was employed by Defendant Belmont Village, L.P. ("Defendant") at its senior assisted living facility located in Calabasas, California as an hourly paid, non-exempt Personal Assistant Liaison from approximately May 2019 to February 2020. My primary job duties included performing resident wellness checks, bathing and dressing residents, performing housekeeping duties for residents, and delivering meals to residents.

3. I decided to file this lawsuit because I had a number of grievances against Defendant stemming from its labor policies. These grievances are set forth in detail in the operative Complaint and my letter to California Labor and Workforce Development Agency ("LWDA").

4. Prior to filing the action, my attorneys and I had multiple conferences about the factual bases for the claims that I wanted to pursue against Defendant.¹ During those conferences, my attorneys provided me with an overview of how those claims would be litigated and generally educated me about the nature of complex/representative litigation and my role as the representative Plaintiff.

5. My attorneys provided me with a draft of the Complaint for my review and approval. I closely reviewed the Complaint to ensure accuracy and completeness. Following the filing of the Complaint, I collaborated with my attorneys on the prosecution of my claims, and I regularly contacted my attorneys to stay current on the status of the litigation, and to discuss my attorneys' progress in prosecuting the claims.

6. I have worked to the best of my ability to prosecute this action on behalf of the entire class, always considering the interests of the class members just as I would consider my own interests. I

¹ Although the preservation of my attorney-client privilege requires that I refrain from revealing the specifics of my communications with my attorneys, I understand that the privilege is not waived by stating generally the matters that I have discussed with my attorneys.

1 believe class actions are an important tool to assure compliance with the law even where an individual's
2 losses may be relatively small. I have no interests which are inconsistent with the interests of the class.

3 7. When I agreed to represent other non-exempt employees performing duties for
4 Defendant in the State of California, I understood it was my duty to be readily available and to participate
5 actively in this case. I knew that I would be required to review documents, search for documents and
6 produce them to my attorneys, answer written questions, potentially answer oral questions and testify
7 truthfully under oath, and be available to appear in court, if necessary.

8 8. I understood that I needed to maintain awareness of the status and progress of the
9 lawsuit.

10 9. Since initiating this lawsuit until now, I have kept aware of the status of the lawsuit and
11 provided my attorneys with documents and information used by them in the litigation. I have spent large
12 amounts of time and effort pursuing my claims and the claims of the other employees from the time I
13 retained my attorneys to the present date.

14 10. After retaining my attorneys, I spent considerable time on the phone discussing the facts
15 of my case with my attorneys. I discussed the facts related to my employment with Defendant, including
16 discussing my job duties and responsibilities, my job position, the hours and days I worked, and how I
17 was compensated.

18 11. I worked closely with my attorneys during the discovery phase of the litigation, and in
19 particular, I spent considerable time working with my attorneys to prepare responses to Defendant's
20 discovery requests, including special interrogatories and document requests. I also answered any
21 questions my attorneys had stemming from Defendant's production of company documents.

22 12. In addition to written discovery, Defendant's counsel took my deposition on February
23 16, 2021. Prior to my deposition, I conferred with my attorneys to prepare, and to learn more about the
24 deposition process. Following my deposition, I carefully reviewed the deposition transcript to ensure that
25 my testimony was properly and accurately recorded.

26 13. I have carefully reviewed the terms of the proposed settlement. My attorneys explained
27 the specifics of how the settlement would work and I accepted the settlement only after I had spent time
28 evaluating the proposed outcome to assure that it was fair. Based on my attorneys' evaluation and

1 recommendation, and my own review, I believe the settlement is fair and reasonable and adequately
2 compensates Class Members.

3 14. In summary, over the course of this litigation I have spent a significant amount of time
4 conferring and working with my attorneys on the prosecution of my claims and evaluating the settlement
5 and related documents. I estimate that I have spent between 40 and 50 hours assisting my attorneys in the
6 prosecution of this lawsuit.

7 15. Throughout this case, I have not sought individual benefits from the lawsuit. Rather, I
8 maintained this lawsuit because I wanted to hold Defendant accountable for its unlawful conduct. I
9 believe that I have fulfilled my responsibilities, and I will continue to fulfill those responsibilities, to the
10 best of my ability, until the conclusion of the case.

11 16. I believe my negotiated Enhancement Payment is reasonable compensation for my
12 services on behalf of Class Members and the State of California, and for the general release that I am
13 required to provide Defendant as a condition of settlement, which has independent value and which I
14 believe makes up a major fraction of the value of the Enhancement Payment. This general release
15 requires me to waive *all* claims that I may have arising out of my employment, and is considerably
16 broader than the claims Class Members will release under the settlement.

17 17. I am committed to this case and will continue to make myself available as needed in the
18 settlement process.

19
20 I declare under penalty of perjury under the laws of the State of California that the foregoing is
21 true and correct. Executed on [Date] 6/21/2022, at [City] winnetka, California.

22
23
24
25
26
27
28
DocuSigned by:
Fatima Goodarzi
55ADAA312CC44F7...
Fatima Goodarzi

PROOF OF SERVICE

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 1875 Century Park East, Suite 1000, Los Angeles, California 90067.

On **June 24, 2022**, I served the document(s) described as: **DECLARATION OF FATIMA GOODARZI IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** on the interested parties in this action by sending ☐ the original ☒ a true copy thereof ☒ to interested parties as follows [or] ☐ as stated on the attached service list:

Jeffrey Ranen
Jeffrey.ranen@lewisbrisbois.com
Kelley Fox
Kelley.Fox@lewisbrisbois.com
LEWIS BRISBOIS BISGAARD & SMITH
LLP
633 West Fifth Street, Suite 4000
Los Angeles, CA 90017

Attorneys for Defendant
Belmont Village, L.P.

Larry W. Lee (State Bar No. 228175)
Lwlee@diversitylaw.com
Kristen M. Agnew (State Bar No. 247656)
kagnew@diversitylaw.com
Nicholas Rosenthal (State Bar No. 268297)
nrosenthal@diversitylaw.com
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
Telephone: (213) 488-6555
Facsimile: (213) 488-6554

Attorneys for Plaintiffs
Marianita Yadao

☐ **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s) for mailing in the ordinary course of business at Los Angeles, California. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice, sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business with postage thereon fully prepaid at Los Angeles, California.

☐ **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

☒ **BY ELECTRONIC SERVICE:** I caused the document(s) to be transmitted electronically via One Legal eService to the individuals listed above, as they exist on that database. This will constitute service of the document(s).

☐ **BY FAX:** I hereby certify that this document was served from Los Angeles, California, by facsimile delivery on the parties listed herein at their most recent fax number of record in this action.

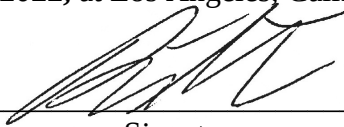
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[] **BY PERSONAL SERVICE:** I caused delivery of the document(s), enclosed in a sealed envelope, by hand via ProLegal Network to the offices of the addressee(s) named herein.

[] **BY OVERNIGHT DELIVERY:** I am “readily familiar” with this firm’s practice of collection and processing correspondence for overnight delivery. Under that practice, overnight packages are enclosed in a sealed envelope with a packing slip attached thereto fully prepaid. The packages are picked up by the carrier at our offices or delivered by our office to a designated collection site.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **June 24, 2022**, at Los Angeles, California.

Riley McIntire
Type or Print Name


Signature