

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF CHRISTOPHER
ANDERSON IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
CLASS SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Christopher Anderson, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from February of 2019 to July of 2020 and I was classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
22 spent adhering to PHI Health's uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
26
27

1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 15, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
27

1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
12

13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 1, 2022, at Reno,NV.
7 (city, state)

8 
9 christopher anderson (Nov 1, 2022 22:20 CDT)
10 Christopher Anderson

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HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF HEATHER
IMHOF IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Heather Imhof, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from March of 2018 to March of 2020 and I was classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
22 spent adhering to PHI Health's uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 18, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
27

1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
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13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 4, 2022, at Redding, California.
7 (city, state)

8 
9 Heather Imhof (Nov 4, 2022 19:20 PDT)
10 Heather Imhof

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

Norman B. Blumenthal (SBN 068687)

Kyle R. Nordrehaug (SBN 205975)

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Telephone: (858) 551-1223

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

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individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF JACQUELINE
MARSHALL IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
CLASS SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Jacqueline Marshall, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from February of 2017 to July of 2020 and I was classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
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18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
22 spent adhering to PHI Health's uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

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7 Health implemented its company policies and procedures. I also assisted my attorneys in their
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10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

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15 7. Even though this action is in the process of settling, I was and remain prepared to
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18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
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23 was seeking damages not only for myself but also other current and/or former non-exempt
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25 employees were not aware of their labor law rights and even if they were they would probably be
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3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
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11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
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15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 20, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 15, 2022.
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25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
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1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
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8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
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13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
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21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
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26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
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1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 1, 2022, at Wenatchee, WA.
7 (city, state)

8 
9 Jacqueline Marshall (Nov 1, 2022 20:06 PDT)
10 Jacqueline Marshall

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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individuals, on behalf of themselves and on
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v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
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inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF JENNA DIAZ IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Jenna Diaz, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
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6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

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10 Health as a non-exempt employee during that time period.

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13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during “passdowns” and time
22 spent adhering to PHI Health’s uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a “passdown” where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
26
27

1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were filed
11 so that I could review them and keep up with the developments in the case which I understood
12 was one of my duties as a class representative. I would also contact my attorneys from time to
13 time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. I also
5 knew there was a risk that future employers, if they ever found out about this lawsuit, could hold
6 it against me or downgrade me as a potential hire. As one of the named plaintiffs in this case it
7 would not be difficult for a future employer to become aware I sued my former employer for
8 labor law violations. Ultimately I decided these risks were worth it and decided to fight for my
9 rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 16, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
27

1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
12

13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 3, 2022, at Redding, CA.
7 (city, state)

8 
9 Jenna Diaz (Nov 3, 2022 09:47 PDT)
10 Jenna Diaz

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF JOANN LEE IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Joann Lee, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I have worked for Defendants PHI Air Medical, LLC and PHI Health, LLC (“PHI
9 Health”) in California since December of 2019 and have been classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during “passdowns” and time
22 spent adhering to PHI Health’s uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a “passdown” where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
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12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

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15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that PHI Health could treat me differently for being a part of this lawsuit.
6 I also knew there was a risk that future employers, if they ever found out about this lawsuit,
7 could hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in
8 this case it would not be difficult for a future employer to become aware I sued my employer for
9 labor law violations. Ultimately I decided these risks were worth it and decided to fight for my
10 rights and the rights of others regardless of the risks, time and effort I spent on this case.
11

12 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
13 kept up to date on important developments by reviewing court filings that were made available to
14 me electronically as I described above.
15

16 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
17 mediator of wage and hour class actions. Following the all-day mediation session, the parties
18 agreed to settle the action. I communicated with my attorneys regarding the terms of the
19 settlement which was reached between the parties and understood that I was representing absent
20 class members and therefore wanted the best possible result to be obtained for the class and I
21 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
22 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
23 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
24 February 17, 2022.
25

26 12. I have been actively involved with this class action lawsuit performing the duties
27

1 described above. Although I did not keep time records, I was in regular contact with my
2 attorneys, reviewed important court filings and spent a significant amount of time on the issues
3 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
4 30-40 hours working on this case. I believe I have been diligent and have done what is expected
5 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
6 and always will maintain the best interest of the class.
7

8 13. My attorneys explained to me that the settlement process involves a two-step
9 review by the Court to determine whether the settlement is fair before approving the settlement.
10 I know this process also involves notifying all class members of the settlement terms and of their
11 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
12 settlement.
13

14 14. I believe I did the right thing by filing this case on behalf of the class who are in
15 line to receive monetary payments as a result of this case and settlement. I also believe that the
16 requested Class Representative Service Payment of \$6,500 from the settlement is fair
17 compensation for the work I performed and the risks I undertook.

18 15. As part of the settlement it was necessary for me to sign a general release of all
19 claims I may have against PHI Health. I believe the Class Representative Service Payment I
20 have requested provides me with some compensation for this agreed release.
21

22 16. I have not entered into any undisclosed agreements nor have I received any
23 undisclosed compensation in this case. The only compensation I will receive is whatever amount
24 the Court awards as a service payment, as well as my share as a class member of the settlement
25 fund.
26

17. In light of all the time and effort I have spent on this case, the risk I undertook by suing my employer, the exposure to being responsible for paying PHI Health's costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, the general release, and in light of the size of the settlement, I believe the request for \$6,500 as a Class Representative service payment is fair and reasonable.

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

Executed on Nov 4, 2022, at Concord, California.
(city, state)


Joann Lee (Nov 4, 2022 13:22 PDT)

Joann Lee

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Kyle R. Nordrehaug (SBN 205975)

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF JOHN SICKMAN
IN SUPPORT OF MOTION FOR
FINAL APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, John Sickman, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC (“PHI
9 Health”) in California from March of 2019 to March of 2021 and was classified by PHI Health
10 as a non-exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during “passdowns” and time
22 spent adhering to PHI Health’s uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a “passdown” where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were filed
11 so that I could review them and keep up with the developments in the case which I understood
12 was one of my duties as a class representative. I would also contact my attorneys from time to
13 time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that PHI Health could treat me differently for being a part of this lawsuit.
6 I also knew there was a risk that future employers, if they ever found out about this lawsuit,
7 could hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in
8 this case it would not be difficult for a future employer to become aware I sued my employer for
9 labor law violations. Ultimately I decided these risks were worth it and decided to fight for my
10 rights and the rights of others regardless of the risks, time and effort I spent on this case.

12 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
13 kept up to date on important developments by reviewing court filings that were made available to
14 me electronically as I described above.

16 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
17 mediator of wage and hour class actions. Following the all-day mediation session, the parties
18 agreed to settle the action. I communicated with my attorneys regarding the terms of the
19 settlement which was reached between the parties and understood that I was representing absent
20 class members and therefore wanted the best possible result to be obtained for the class and I
21 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
22 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
23 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
24 February 18, 2022.

26 12. I have been actively involved with this class action lawsuit performing the duties

1 described above. Although I did not keep time records, I was in regular contact with my
2 attorneys, reviewed important court filings and spent a significant amount of time on the issues
3 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
4 30-40 hours working on this case. I believe I have been diligent and have done what is expected
5 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
6 and always will maintain the best interest of the class.
7

8 13. My attorneys explained to me that the settlement process involves a two-step
9 review by the Court to determine whether the settlement is fair before approving the settlement.
10 I know this process also involves notifying all class members of the settlement terms and of their
11 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
12 settlement.
13

14 14. I believe I did the right thing by filing this case on behalf of the class who are in
15 line to receive monetary payments as a result of this case and settlement. I also believe that the
16 requested Class Representative Service Payment of \$6,500 from the settlement is fair
17 compensation for the work I performed and the risks I undertook.

18 15. As part of the settlement it was necessary for me to sign a general release of all
19 claims I may have against PHI Health. I believe the Class Representative Service Payment I
20 have requested provides me with some compensation for this agreed release.
21

22 16. I have not entered into any undisclosed agreements nor have I received any
23 undisclosed compensation in this case. The only compensation I will receive is whatever amount
24 the Court awards as a service payment, as well as my share as a class member of the settlement
25 fund.
26

17. In light of all the time and effort I have spent on this case, the risk I undertook by suing my employer, the exposure to being responsible for paying PHI Health's costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, the general release, and in light of the size of the settlement, I believe the request for \$6,500 as a Class Representative service payment is fair and reasonable.

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

Executed on Nov 3, 2022, at Mount Shasta, California.
(city, state)


John J Sickman (Nov 3, 2022 07:44 PDT)

John Sickman

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Telephone: (858) 551-1223

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF JORDAN MOSER
IN SUPPORT OF MOTION FOR
FINAL APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Jordan Moser, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC (“PHI
9 Health”) in California from April of 2019 to February of 2022 and was classified by PHI Health
10 as a non-exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during “passdowns” and time
22 spent adhering to PHI Health’s uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a “passdown” where the
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25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
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19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.
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22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that PHI Health could treat me differently for being a part of this lawsuit.
6 I also knew there was a risk that future employers, if they ever found out about this lawsuit,
7 could hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in
8 this case it would not be difficult for a future employer to become aware I sued my employer for
9 labor law violations. Ultimately I decided these risks were worth it and decided to fight for my
10 rights and the rights of others regardless of the risks, time and effort I spent on this case.

12 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
13 kept up to date on important developments by reviewing court filings that were made available to
14 me electronically as I described above.

16 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
17 mediator of wage and hour class actions. Following the all-day mediation session, the parties
18 agreed to settle the action. I communicated with my attorneys regarding the terms of the
19 settlement which was reached between the parties and understood that I was representing absent
20 class members and therefore wanted the best possible result to be obtained for the class and I
21 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
22 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
23 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
24 February 15, 2022.

26 12. I have been actively involved with this class action lawsuit performing the duties

1 described above. Although I did not keep time records, I was in regular contact with my
2 attorneys, reviewed important court filings and spent a significant amount of time on the issues
3 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
4 30-40 hours working on this case. I believe I have been diligent and have done what is expected
5 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
6 and always will maintain the best interest of the class.
7

8 13. My attorneys explained to me that the settlement process involves a two-step
9 review by the Court to determine whether the settlement is fair before approving the settlement.
10 I know this process also involves notifying all class members of the settlement terms and of their
11 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
12 settlement.
13

14 14. I believe I did the right thing by filing this case on behalf of the class who are in
15 line to receive monetary payments as a result of this case and settlement. I also believe that the
16 requested Class Representative Service Payment of \$6,500 from the settlement is fair
17 compensation for the work I performed and the risks I undertook.

18 15. As part of the settlement it was necessary for me to sign a general release of all
19 claims I may have against PHI Health. I believe the Class Representative Service Payment I
20 have requested provides me with some compensation for this agreed release.
21

22 16. I have not entered into any undisclosed agreements nor have I received any
23 undisclosed compensation in this case. The only compensation I will receive is whatever amount
24 the Court awards as a service payment, as well as my share as a class member of the settlement
25 fund.
26

17. In light of all the time and effort I have spent on this case, the risk I undertook by suing my employer, the exposure to being responsible for paying PHI Health's costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, the general release, and in light of the size of the settlement, I believe the request for \$6,500 as a Class Representative service payment is fair and reasonable.

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

Executed on Nov 1, 2022, at Cottonwood, CA.
(city, state)


Jordan Moser (Nov 1, 2022 21:37 PDT)

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

Norman B. Blumenthal (SBN 068687)

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF KANE
EDWARDS IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
CLASS SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Kane Edwards, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from October of 2016 to January of 2020 and I was classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
22 spent adhering to PHI Health's uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
26
27

1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 15, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
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1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
12

13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 2, 2022, at Anderson, CA.
7 (city, state)

8 
9 Kane C Edwards (Nov 2, 2022 15:31 GMT+5.75)
10 Kane Edwards

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF KAYVAN
MARSHALL IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
CLASS SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Kayvan Marshall, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I have worked for Defendants PHI Air Medical, LLC and PHI Health, LLC (“PHI
9 Health”) in California since August of 2018 and have been classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during “passdowns” and time
22 spent adhering to PHI Health’s uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a “passdown” where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
26
27

1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that PHI Health could treat me differently for being a part of this lawsuit.
6 I also knew there was a risk that future employers, if they ever found out about this lawsuit,
7 could hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in
8 this case it would not be difficult for a future employer to become aware I sued my employer for
9 labor law violations. Ultimately I decided these risks were worth it and decided to fight for my
10 rights and the rights of others regardless of the risks, time and effort I spent on this case.
11

12 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
13 kept up to date on important developments by reviewing court filings that were made available to
14 me electronically as I described above.
15

16 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
17 mediator of wage and hour class actions. Following the all-day mediation session, the parties
18 agreed to settle the action. I communicated with my attorneys regarding the terms of the
19 settlement which was reached between the parties and understood that I was representing absent
20 class members and therefore wanted the best possible result to be obtained for the class and I
21 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
22 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
23 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
24 February 17, 2022.
25

26 12. I have been actively involved with this class action lawsuit performing the duties
27

1 described above. Although I did not keep time records, I was in regular contact with my
2 attorneys, reviewed important court filings and spent a significant amount of time on the issues
3 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
4 30-40 hours working on this case. I believe I have been diligent and have done what is expected
5 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
6 and always will maintain the best interest of the class.
7

8 13. My attorneys explained to me that the settlement process involves a two-step
9 review by the Court to determine whether the settlement is fair before approving the settlement.
10 I know this process also involves notifying all class members of the settlement terms and of their
11 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
12 settlement.
13

14 14. I believe I did the right thing by filing this case on behalf of the class who are in
15 line to receive monetary payments as a result of this case and settlement. I also believe that the
16 requested Class Representative Service Payment of \$6,500 from the settlement is fair
17 compensation for the work I performed and the risks I undertook.

18 15. As part of the settlement it was necessary for me to sign a general release of all
19 claims I may have against PHI Health. I believe the Class Representative Service Payment I
20 have requested provides me with some compensation for this agreed release.
21

22 16. I have not entered into any undisclosed agreements nor have I received any
23 undisclosed compensation in this case. The only compensation I will receive is whatever amount
24 the Court awards as a service payment, as well as my share as a class member of the settlement
25 fund.
26

17. In light of all the time and effort I have spent on this case, the risk I undertook by suing my employer, the exposure to being responsible for paying PHI Health's costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, the general release, and in light of the size of the settlement, I believe the request for \$6,500 as a Class Representative service payment is fair and reasonable.

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

Executed on Nov 2, 2022, at Livermore, Ca.
(city, state)

Kayvan Marshall (Nov 2, 2022 16:53 PDT)

Kayvan Marshall

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

Norman B. Blumenthal (SBN 068687)

Kyle R. Nordrehaug (SBN 205975)

Aparajit Bhowmik (SBN 248066)

2255 Calle Clara

La Jolla, CA 92037

Telephone: (858) 551-1223

Facsimile: (858) 551-1232

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
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HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF KRISTIN
KNOWLES IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
CLASS SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Kristin Knowles, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from 2018 to July of 2020 and I was classified by PHI Health as a non-exempt
10 employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
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18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
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15 7. Even though this action is in the process of settling, I was and remain prepared to
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19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
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25 employees were not aware of their labor law rights and even if they were they would probably be
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1 filing a class action lawsuit.

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7 case it would not be difficult for a future employer to become aware I sued a former employer
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19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 15, 2022.
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11 settlement.
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13 14. I believe I did the right thing by filing this case on behalf of the class who are in
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15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 2, 2022, at Sparks, Nevada.
7 (city, state)

8 *Kristin Knowles*

9 Kristin Knowles (Nov 2, 2022 08:59 PDT)

Kristin Knowles

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF KYLE EVANS IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Kyle Evans, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from April of 2018 to July of 2020 and I was classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
22 spent adhering to PHI Health's uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
26
27

1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 16, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
27

1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
12

13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 1, 2022, at Redding, CA.
7 (city, state)

8 Kyle Evans

9 Kyle Evans (Nov 1, 2022 21:20 PDT)

Kyle Evans

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF LANCE
PHILLIPS IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Lance Phillips, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from September of 2015 to July of 2020 and I was classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
22 spent adhering to PHI Health's uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
26
27

1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 24, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 22, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
27

1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
12

13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 8, 2022, at Susanville CA.
7 (city, state)

8 *Lance Phillips*

9 Lance Phillips (Nov 8, 2022 11:01 PST)

Lance Phillips

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

Norman B. Blumenthal (SBN 068687)

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF LAUREN
YOUNG IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: March 17, 2021

Hearing Time: 10:00 a.m.

Complaint Filed: October 1, 2020

Trial date: None Set

1 I, Lauren Young, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from August of 2019 to July of 2020 and I was classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
22 spent adhering to PHI Health's uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 15, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
27

1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
12

13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 1, 2022, at Meridian, ID.
7 (city, state)

8 
9 Lauren Johnson (Young) (Nov 1, 2022 21:46 MDT)
10 Lauren Young

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Kyle R. Nordrehaug (SBN 205975)

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

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PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF MARK HARMON
IN SUPPORT OF MOTION FOR
FINAL APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Mark Harmon, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from 2000 to February of 2020 and I was classified by PHI Health as a non-exempt
10 employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during "passdowns" and time
22 spent adhering to PHI Health's uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
26
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 15, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
27

1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
12

13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 1, 2022, at Medford, Oregon.
7 (city, state)

8 
9 Mark Harmon (Nov 1, 2022 20:57 PDT)
10 Mark Harmon

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF STEPHANIE
SWISHER IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Stephanie Swisher, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC (“PHI
9 Health”) in California from March of 2019 to December of 2021 and was classified by PHI
10 Health as a non-exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during “passdowns” and time
22 spent adhering to PHI Health’s uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a “passdown” where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were filed
11 so that I could review them and keep up with the developments in the case which I understood
12 was one of my duties as a class representative. I would also contact my attorneys from time to
13 time if I had any questions about the case.
14

15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.
21

22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that PHI Health could treat me differently for being a part of this lawsuit.
6 I also knew there was a risk that future employers, if they ever found out about this lawsuit,
7 could hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in
8 this case it would not be difficult for a future employer to become aware I sued my employer for
9 labor law violations. Ultimately I decided these risks were worth it and decided to fight for my
10 rights and the rights of others regardless of the risks, time and effort I spent on this case.
11

12 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
13 kept up to date on important developments by reviewing court filings that were made available to
14 me electronically as I described above.
15

16 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
17 mediator of wage and hour class actions. Following the all-day mediation session, the parties
18 agreed to settle the action. I communicated with my attorneys regarding the terms of the
19 settlement which was reached between the parties and understood that I was representing absent
20 class members and therefore wanted the best possible result to be obtained for the class and I
21 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
22 Memorandum of Understanding on August 20, 2021 and when the final settlement papers were
23 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
24 February 15, 2022.
25

26 12. I have been actively involved with this class action lawsuit performing the duties
27

1 described above. Although I did not keep time records, I was in regular contact with my
2 attorneys, reviewed important court filings and spent a significant amount of time on the issues
3 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
4 30-40 hours working on this case. I believe I have been diligent and have done what is expected
5 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
6 and always will maintain the best interest of the class.
7

8 13. My attorneys explained to me that the settlement process involves a two-step
9 review by the Court to determine whether the settlement is fair before approving the settlement.
10 I know this process also involves notifying all class members of the settlement terms and of their
11 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
12 settlement.
13

14 14. I believe I did the right thing by filing this case on behalf of the class who are in
15 line to receive monetary payments as a result of this case and settlement. I also believe that the
16 requested Class Representative Service Payment of \$6,500 from the settlement is fair
17 compensation for the work I performed and the risks I undertook.

18 15. As part of the settlement it was necessary for me to sign a general release of all
19 claims I may have against PHI Health. I believe the Class Representative Service Payment I
20 have requested provides me with some compensation for this agreed release.
21

22 16. I have not entered into any undisclosed agreements nor have I received any
23 undisclosed compensation in this case. The only compensation I will receive is whatever amount
24 the Court awards as a service payment, as well as my share as a class member of the settlement
25 fund.
26

17. In light of all the time and effort I have spent on this case, the risk I undertook by suing my employer, the exposure to being responsible for paying PHI Health's costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, the general release, and in light of the size of the settlement, I believe the request for \$6,500 as a Class Representative service payment is fair and reasonable.

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

Executed on Nov 4, 2022, at Kodiak AK.
(city, state)

Stephanie Swisher

Stephanie Swisher (Nov 4, 2022 11:16 AKDT)

Stephanie Swisher

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
MARSHALL, KANE EDWARDS, JORDAN
MOSER, KYLE EVANS, JENNA DIAZ,
TERRIANNE MAURICIO, JOANN LEE,
TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF TEISLEYE
SMITH IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Teisleye Smith, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC (“PHI
9 Health”) in California from January of 2020 to March of 2022 and was classified by PHI Health
10 as a non-exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
17

18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
21 I was not paid for all the hours I worked such as the time I spent during “passdowns” and time
22 spent adhering to PHI Health’s uniform requirements. I was regularly required to work for 10-15
23 minutes prior to the start of my shift during what is commonly known as a “passdown” where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

5
6 6. Before the complaint was filed I communicated with my attorneys regarding how PHI
7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were filed
11 so that I could review them and keep up with the developments in the case which I understood
12 was one of my duties as a class representative. I would also contact my attorneys from time to
13 time if I had any questions about the case.
14

15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.
21

22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that PHI Health could treat me differently for being a part of this lawsuit.
6 I also knew there was a risk that future employers, if they ever found out about this lawsuit,
7 could hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in
8 this case it would not be difficult for a future employer to become aware I sued my employer for
9 labor law violations. Ultimately I decided these risks were worth it and decided to fight for my
10 rights and the rights of others regardless of the risks, time and effort I spent on this case.

12 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
13 kept up to date on important developments by reviewing court filings that were made available to
14 me electronically as I described above.

16 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
17 mediator of wage and hour class actions. Following the all-day mediation session, the parties
18 agreed to settle the action. I communicated with my attorneys regarding the terms of the
19 settlement which was reached between the parties and understood that I was representing absent
20 class members and therefore wanted the best possible result to be obtained for the class and I
21 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
22 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
23 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
24 February 15, 2022.

26 12. I have been actively involved with this class action lawsuit performing the duties

1 described above. Although I did not keep time records, I was in regular contact with my
2 attorneys, reviewed important court filings and spent a significant amount of time on the issues
3 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
4 30-40 hours working on this case. I believe I have been diligent and have done what is expected
5 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
6 and always will maintain the best interest of the class.
7

8 13. My attorneys explained to me that the settlement process involves a two-step
9 review by the Court to determine whether the settlement is fair before approving the settlement.
10 I know this process also involves notifying all class members of the settlement terms and of their
11 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
12 settlement.
13

14 14. I believe I did the right thing by filing this case on behalf of the class who are in
15 line to receive monetary payments as a result of this case and settlement. I also believe that the
16 requested Class Representative Service Payment of \$6,500 from the settlement is fair
17 compensation for the work I performed and the risks I undertook.

18 15. As part of the settlement it was necessary for me to sign a general release of all
19 claims I may have against PHI Health. I believe the Class Representative Service Payment I
20 have requested provides me with some compensation for this agreed release.
21

22 16. I have not entered into any undisclosed agreements nor have I received any
23 undisclosed compensation in this case. The only compensation I will receive is whatever amount
24 the Court awards as a service payment, as well as my share as a class member of the settlement
25 fund.
26

17. In light of all the time and effort I have spent on this case, the risk I undertook by suing my employer, the exposure to being responsible for paying PHI Health's costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, the general release, and in light of the size of the settlement, I believe the request for \$6,500 as a Class Representative service payment is fair and reasonable.

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

Executed on Nov 2, 2022, at N. Highlands, Ca.
(city, state)

Teisleye Smith (Nov 2, 2022 11:02 PDT)

Teisleye Smith

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

Norman B. Blumenthal (SBN 068687)

Kyle R. Nordrehaug (SBN 205975)

Aparajit Bhowmik (SBN 248066)

2255 Calle Clara

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Telephone: (858) 551-1223

Facsimile: (858) 551-1232

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LASSEN

JACQUELINE MARSHALL, LANCE
PHILLIPS, KRISTIN KNOWLES,
CHRISTOPHER ANDERSON, KAYVAN
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TEISLEYE SMITH, LAUREN YOUNG,
HEATHER IMHOF, STEPHANIE SWISHER,
JOHN SICKMAN, and MARK HARMON,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiffs,

v.

PHI AIR MEDICAL, LLC, a Limited Liability
Company; PHI HEALTH, LLC, a Limited
Liability Company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. **63485**

**DECLARATION OF TERRI
MAURICIO IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF
CLASS SETTLEMENT**

Judge: Hon. Mark R. Nareau

Dept.: 2

Hearing Date: December 8, 2022

Hearing Time: 10:00 a.m.

Complaint Filed: March 17, 2021

Trial date: None Set

1 I, Terri Mauricio, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Final Approval of
4 Class Settlement and in support of my application for a Class Representative Service Payment.
5

6 2. I have personal knowledge of all the facts stated herein. I could and would competently
7 testify under oath to these facts in court if requested to do so.

8 3. I worked for Defendants PHI Air Medical, LLC and PHI Health, LLC ("PHI Health") in
9 California from March of 2019 to August of 2019 and I was classified by PHI Health as a non-
10 exempt employee during that time period.

11 4. I retained the law firm of Blumenthal Nordrehaug Bhowmik De Blouw LLP, who are
12 experienced in both class action litigation and claims against employers for violations of the
13 California Labor Code. I have no personal relationship or family ties to my attorneys or any
14 officer of the Court. I am not involved in any litigation against another member of the class in
15 this case and my attorneys are not working on my behalf in another capacity other than
16 representing me in this lawsuit.
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18 5. I decided to file this class action lawsuit for the benefit of myself and other current
19 and former non-exempt employees who worked for PHI Health and be a class representative
20 because I felt that my legal rights as an employee and others like me were violated. For example,
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23 minutes prior to the start of my shift during what is commonly known as a "passdown" where the
24 previous shift workers provide relevant information prior to the start of my shift. This was work
25 done off the clock. Also, PHI Health had strict uniform requirements (eg. flight suit, helmet,
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1 jacket, nomex gloves, name tag) which required my uniform to be stored at my work location
2 and put on only at PHI Health's building prior to my shift. This work was also done off the
3 clock. By not paying me for this work done off the clock my wage statements were not accurate
4 because they did not, for example, state the total hours worked.

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7 Health implemented its company policies and procedures. I also assisted my attorneys in their
8 investigation into my claims by providing them documents and answering their questions. I
9 reviewed the complaint before it was filed and after it was filed I was given access to an
10 electronic file sharing program that alerted me via email when important documents were
11 filed so that I could review them and keep up with the developments in the case which I
12 understood was one of my duties as a class representative. I would also contact my attorneys
13 from time to time if I had any questions about the case.

14
15 7. Even though this action is in the process of settling, I was and remain prepared to
16 perform all the duties of a class representative. I understand that as a class representative I have
17 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent non-
18 exempt employees who worked for PHI Health during the class period. I have understood that as
19 a fiduciary, I have a duty to prosecute this action for the benefit of the members of the class and
20 surrender any right to compromise the group action for an individual gain.

21
22 8. I understood that being a plaintiff/class representative in this case meant that I
23 was seeking damages not only for myself but also other current and/or former non-exempt
24 employees working for PHI Health in California. I felt that this group of current and former
25 employees were not aware of their labor law rights and even if they were they would probably be
26 apprehensive about speaking up or even simply because of the time, effort and risk involved in
27

1 filing a class action lawsuit.

2 9. I understood that being a part of this lawsuit involved risks. For example, my
3 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
4 pay for all or part of the attorney fees and costs paid by PHI Health to defend this lawsuit. Also,
5 I knew there was a risk that future employers, if they ever found out about this lawsuit, could
6 hold it against me or downgrade me as a potential hire. As one of the named plaintiffs in this
7 case it would not be difficult for a future employer to become aware I sued a former employer
8 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
9 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
10

11 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
12 kept up to date on important developments by reviewing court filings that were made available to
13 me electronically as I described above.
14

15 11. A mediation took place on July 27, 2021 with Mark Rudy, an experienced
16 mediator of wage and hour class actions. Following the all-day mediation session, the parties
17 agreed to settle the action. I communicated with my attorneys regarding the terms of the
18 settlement which was reached between the parties and understood that I was representing absent
19 class members and therefore wanted the best possible result to be obtained for the class and I
20 believe a very positive result was in fact achieved via settlement. I reviewed and signed the
21 Memorandum of Understanding on August 19, 2021 and when the final settlement papers were
22 ready, I again spoke with my attorneys to review the Settlement Agreement which I signed on
23 February 15, 2022.
24

25 12. I have been actively involved with this class action lawsuit performing the duties
26 described above. Although I did not keep time records, I was in regular contact with my
27

1 attorneys, reviewed important court filings and spent a significant amount of time on the issues
2 presented during the lawsuit and in the settlement process. I estimate that I spent approximately
3 30-40 hours working on this case. I believe I have been diligent and have done what is expected
4 of a named plaintiff and proposed class representative to date, and will continue to do so. I have
5 and always will maintain the best interest of the class.
6

7 13. My attorneys explained to me that the settlement process involves a two-step
8 review by the Court to determine whether the settlement is fair before approving the settlement.
9 I know this process also involves notifying all class members of the settlement terms and of their
10 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
11 settlement.
12

13 14. I believe I did the right thing by filing this case on behalf of the class who are in
14 line to receive monetary payments as a result of this case and settlement. I also believe that the
15 requested Class Representative Service Payment of \$6,500 from the settlement is fair
16 compensation for the work I performed and the risks I undertook.

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against PHI Health. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. I have not entered into any undisclosed agreements nor have I received any
22 undisclosed compensation in this case. The only compensation I will receive is whatever amount
23 the Court awards as a service payment, as well as my share as a class member of the settlement
24 fund.
25

26 17. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing a former employer, the exposure to being responsible for paying PHI Health's costs in the
28

1 event we did not win the case, the reputational risk that future employers may hold this lawsuit
2 against me, the general release, and in light of the size of the settlement, I believe the request for
3 \$6,500 as a Class Representative service payment is fair and reasonable.

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

6 Executed on Nov 2, 2022, at Tuscon, Arizona.
7 (city, state)

8 

9 terri mauricio (Nov 2, 2022 08:47 PDT)

10 Terri Mauricio