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Attorneys for Plaintiffs VIVIAN LY, WENDY
 MACIEL, and RENE PALACIOS, on behalf of
 themselves and others similarly Aggrieved Employees

Plaintiffs' Counsel continued on next page

SUPERIOR COURT OF THE STATE OF CALIFORNIA**IN AND FOR THE COUNTY OF SACRAMENTO**

VIVIAN LY, on behalf of herself and others
 similarly situated,

Plaintiff,

v.

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

Defendants.

Case No. 34-2020-00281668

**DECLARATION OF VIVIAN LY IN
SUPPORT OF PLAINTIFFS' MOTION FOR
APPROVAL OF PAGA SETTLEMENT**

Date: November 16, 2021

Time: 9:00 a.m.

Place: Dept. 54

Reservation No. 2591498

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Attorneys for Plaintiffs VIVIAN LY, WENDY
MACIEL, and RENE PALACIOS, on behalf of
themselves and others similarly Aggrieved Employees

1 I, Vivian Ly, hereby declare under penalty of perjury as follows:

- 2 1. I have personal knowledge of all matters stated herein, and if called as a witness, I could
3 and would competently testify thereto, except as to those matters stated upon information
4 and belief, and as to those matters, I believe them to be true.
- 5 2. I am a named Plaintiff in the above-captioned lawsuit, and I submit this declaration in
6 support of Plaintiffs' Motion for Approval of PAGA Settlement.
- 7 3. I worked for Defendant Prime Comms Retail, LLC and Defendant Spring
8 Communications Holding, Inc. dba SC Spring Communications Holding, Inc.
9 (collectively "Defendants") as an hourly, non-exempt employee in California during the
10 PAGA Period.
- 11 4. I originally decided to contact an attorney because I felt that some of Defendants' policies
12 and practices violated the law.
- 13 5. Based on my communications with other employees, what I witnessed while working at
14 Defendants, and my personal experience as an employee for Defendants, it was my belief
15 that my experiences were not unique to me, but were shared by all of the non-exempt
16 employees that worked for Defendants.
- 17 6. I have been in regular contact with my attorneys throughout the prosecution of this case
18 and have been kept apprised of all aspects of the case. Throughout the litigation, I have
19 always been available to provide my attorneys with helpful information for this lawsuit.
- 20 7. I understood that a large amount of work could be required of me as a named representative,
21 and I was willing to and did engage in this work. I had regular discussions with my
22 attorneys, provided my attorneys with information and documents from my employment
23 with Defendants, responding promptly to my attorneys' various communications regarding
24 this matter, and reviewing and analyzing the settlement agreement and settlement papers.
- 25 8. Although I did not attend the mediation in person, I was available via phone. During the
26 settlement negotiations, my attorneys continually communicated and explained every part
27 of the negotiation process. Having been fully informed and advised by my attorneys as to
28 the strengths and risks associated with further litigation, I gave my consent to settle with

1 Defendants for the gross settlement amount of \$1,500,000, which I find to be fair and
2 reasonable.

3 9. As part of the settlement agreement, I agreed to a general release of my claims against
4 Defendants. This includes a release for my individual wage and hour claims. I believe the
5 requested \$10,000 for my agreeing to this release, which is broader than the claims being
6 released by the other aggrieved employees, who can still bring their own claims against
7 Defendants, is fair and reasonable.

8 10. I initiated this lawsuit on behalf of myself and the other aggrieved employees because I
9 wanted to fix what I perceived as problems affecting all of us. From the very beginning, I
10 understood that I was participating in this case, not only for my own benefit, but for the
11 many past and present non-exempt employees.

12 11. While I truly believe that I was doing the right thing in pursuing this case, I do believe that
13 I have paid a price for the greater good of other employees, who will now obtain some
14 relief through the terms of the proposed settlement.

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

17 Executed this 15th day of October 2021 at Sacramento, California.

18
19 By: _____
VIVIAN LY

DocuSigned by:

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