

DIVERSITY LAW GROUP, P.C.
 Larry W. Lee (State Bar No. 228175)
lwlee@diversitylaw.com
 Simon L. Yang (State Bar No. 260286)
sly@diversitylaw.com
 515 South Figueroa Street, Suite 1250
 Los Angeles, California 90071
 Telephone: (213) 488-6555
 Facsimile: (213) 488-6554

POLARIS LAW GROUP
 William L. Marder (State Bar No. 170131)
bill@polarislawgroup.com
 501 San Benito Street, Suite 200
 Hollister, California 95023
 Telephone: (831) 531-4214
 Facsimile (831) 634-0333

Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

JOSELUIS DAVILA, as an individual and on
 behalf of all others similarly situated, and as a
 private attorney general,

Plaintiff,

vs.

HAYWARD SISTERS HOSPITAL dba ST.
 ROSE HOSPITAL, a California corporation; and
 DOES 1 through 50, inclusive,

Defendants.

Case No. RG20074747

[Hon. Brad Seligman, Department 23]

**DECLARATION OF JOSELUIS DAVILA IN
 SUPPORT OF PLAINTIFF'S MOTION FOR
 FINAL APPROVAL OF CLASS ACTION
 SETTLEMENT**

Date: April 11, 2023
 Time: 3:00 p.m.
 Department: 23

Reservation No.: **A-20074747-001**

Complaint Filed: September 23, 2020

1 I, Joseluis Davila, declare as follows:

2 1. I am an individual over the age of 18. I am the named plaintiff in the above-reference
3 action. I have personal knowledge of the facts set forth below, except as to those matters stated on
4 information and belief and, as to those matters, I believe them to be true. If called as a witness, I could
5 testify competently as to the matters stated in this declaration.

6 2. I began working for St. Rose Hospital in or about 2008. Throughout my employment as a
7 phlebotomist, I have been paid on an hourly basis as a non-exempt employee. I was also paid shift
8 differential wages. I am informed and believe that whenever I was paid shift differential wages, the
9 Company issued me wage statements that failed to itemize the accurate total hours worked. The
10 Company issued me wage statements that show hours that, when added up, do not appear to add up to
11 the actual total hours worked.

12 3. During the pendency of this lawsuit, I have done my best to represent the interests of the
13 employees that are part of the class. I have actively contributed to the litigation of this case. My
14 contributions include but are not limited to (i) participating in numerous telephonic meetings with my
15 attorneys and their staff to discuss the case and review documents prepared on my behalf, (ii) providing
16 my attorneys with information and documents regarding my employment with Defendant, (iii) searching
17 for additional information and documents requested by my attorneys, (iv) reviewing and approving the
18 written notice to the Labor and Workforce Development Agency and the complaint and other papers
19 filed with the court, (v) participating in mediated settlement discussions, (vi) reviewing and executing
20 the settlement agreement, and (vii) reviewing and signing the declarations submitted to this Court in
21 support of the settlement. During the 30 months that this lawsuit has been pending, I have easily spent at
22 least 1.5 hours per month, on average—or at least 45 hours total—in progressing the litigation on behalf
23 of the Class.

24 4. I understand that the class claims alleged in this action were brought on behalf of other
25 similarly situated employees, and thus I am acting as a representative for the Class. I understood that an
26 individual case would have resolved much faster than a class action and involved much less financial
27 risk than a class action.

7. I have discussed the terms of the settlement agreement with my attorneys, and based on my understanding of the case, I am of the opinion that settlement for the consideration and on the terms set forth in the settlement agreement are fair, reasonable, and adequate, and in the best interests of the Class.

9. As part of the settlement, I also agreed to sign a general release of claims and a waiver of Civil Code section 1542.

DocuSigned by:
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DECLARATION OF JOSELUIS DAVILA IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT