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*Attorneys for Plaintiffs and Proposed
Class Members*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

LAUREN FLETCHER HERNANDEZ,
individually, and on behalf of all others
similarly situated,

Plaintiff,

v.

FACEY MEDICAL FOUNDATION, a
corporation; FACEY MEDICAL GROUP, a
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No. 20STCV41624

[Assigned to: Hon. Carolyn B. Kuhl, Dept.
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**DECLARATION OF LAUREN
FLETCHER HERNANDEZ IN SUPPORT
OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

DECLARATION OF LAUREN FLETCHER HERNANDEZ

I, Lauren Fletcher Hernandez, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All of the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a former employee of Defendant Facey Medical Foundation ("Facey"). I worked at Facey from approximately July 2006 to approximately September 2020 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to all of Facey's policies and practices that have been alleged as unlawful in the Class Action Complaint ("Complaint").

4. I am the lead plaintiff in this action and have actively participated in this matter since before it was filed. Prior to filing this case, I provided Wilshire Law Firm and my attorneys a detailed account of the facts related to my employment with Facey, including, but not limited to, Facey's policy and practice of not providing its employees with California compliant meal and rest periods and requiring its employees to work "off-the-clock" during meal periods and after clocking out for the workday. Additionally, I provided my counsel with documentation in the form of annotated wage statements and timekeeping records in support of the claims brought against Facey. These documents, along with the anecdotes I shared regarding my employment, assisted my attorneys in understanding the illegal policies and practices at Facey. I also regularly communicated with my attorneys and staff members of Wilshire Law firm via telephone and text messages.

5. My attorneys explained to me the risks and benefits of bringing forward a class action matter. I understood the risks, both professionally and financially, associated with pursuing

1 a class action case and acting as the Class Representative. I further understood that pursuing the
2 case as a class action rather than individually meant that it would take substantially longer as a
3 result of the multi-step approval process as mandated by the California Courts. Although I was
4 made aware that there was a possibility that I could receive nothing at the end, I believed that it
5 was important to ensure that Facey followed the law with respect to all of its hourly-paid, non-
6 exempt employees.

7 6. By initiating this lawsuit, I hoped that I might be able to change Facey's policies to
8 better protect the working conditions of my co-workers and provide monetary relief to Facey's
9 hourly-paid and non-exempt employees. Additionally, I understood that it was my responsibility
10 to act in the best interests of the Class and not just myself. In that respect, I understood my duties
11 and responsibilities to the proposed Class and carried out and will continue to carry out those duties
12 as necessary.

13 7. Throughout the course of the litigation, I maintained constant communication with
14 my attorneys and discussed pertinent matters relevant to the lawsuit. I asked questions when I
15 wanted to know what was being done to advance the interests of the Class or simply wanted an
16 update regarding the case. I understood that a recovery would not only benefit me but would
17 benefit my fellow coworkers as well. At all times, I made myself available to answer any questions
18 that my attorneys had about my employment.

19 8. This was especially true leading up to the filing of the motion for class certification
20 on August 25, 2022. As a proposed class representative, I performed a number of tasks, including,
21 speaking with my counsel to discuss facts about the case, reviewing pleadings before filing with
22 the court, preparing for a deposition and being deposed, responding to written discovery, and being
23 in regular contact with my counsel regarding the status of my lawsuit and providing my counsel
24 with any information or documents upon request.

25 9. In preparation for the mediation on January 9, 2023, I had extensive conversations
26 with my attorneys regarding the nuanced issues that we were going to advance during the
27 negotiation process with the mediator. During the mediation session, I was available to speak with
28 my attorneys, answer any questions that arose, and provide any additional documentation that was

1 necessary to assist the settlement discussions. Prior to the resolution of this matter, I reviewed and
2 signed a Memorandum of Understanding (“MOU”), which outlined the materials terms of the
3 settlement. My attorneys walked me through the individual clauses of the MOU and answered all
4 the questions that I had.

5 10. I estimate that I spent **at least 70 hours** searching for and collecting documents
6 related to my employment, speaking with my attorneys throughout the litigation, preparing for
7 depositions, attending a full-day deposition, responding to written discovery, helping my attorneys
8 prepare for mediation, discussing the particulars and reasonableness of the settlement, and
9 reviewing/signing documents related to the settlement.

10 11. I have reviewed the Stipulation and Settlement of Class Action and Private
11 Attorneys General Act Representative Claims (“Settlement Agreement”) in full and discussed all
12 the terms with my attorneys. My attorneys answered all the questions I had regarding the
13 Settlement Agreement. I believe the settlement terms and allocations are fair, adequate, and
14 reasonable given the strength of the class claims and Facey’s defenses.

15 12. I do not have any interest, financial or otherwise, in the third-party administrator,
16 Apex Class Action.

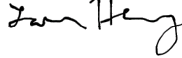
17 13. I understand the proposed settlement allows me to be awarded a Class
18 Representative Service Payment of \$12,500, which I am seeking for all the work and efforts in this
19 case, for undertaking the financial risk and potential publicity of pursuing this case, and for my
20 general release of claims that I may have against Facey. As the lead plaintiff in this case, I have
21 expended a lot of time and energy into this case and I respectfully request that the Court award me
22 the service payment in full. I am receiving no additional compensation other than the
23 compensation provided for in the settlement. I also continue to fear that any employer may find
24 out that I participated in this lawsuit and hold it against me, especially considering that my name
25 is associated with this lawsuit. In a competitive job market, this factor may weigh heavily against
26 me. Nonetheless, I felt that important rights were at stake that hurt myself and other employees so
27 I am happy and hopeful that this case will be resolved soon.

28 I declare under penalty of perjury, under the laws of the State of California and the United

1 States of America, that the foregoing is true and correct.

2 Executed on 6/9/2023 at Northridge, California.

3 DocuSigned by:

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Lauren Fletcher Hernandez

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PROOF OF SERVICE

Hernandez v. Facey Medical Foundation, et al.
20STCV41624

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Ashley Narinyans, am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to this action. My business address is 3055 Wilshire Blvd., 12th Fl., Los Angeles, California 90010. My electronic service address is anarinyans@wilshirelawfirm.com.

On August 4, 2023, I served the foregoing **DECLARATION OF LAUREN FLETCHER HERNANDEZ IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

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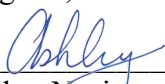
Attorneys for Defendant
Facey Medical Foundation

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

(X) **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service **CASEANYWHERE**.

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

Executed this **August 4, 2023**, at Los Angeles, California.



Ashley Narinyans