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5 Attorneys for Plaintiff,
6 KARLA IVON GONZALEZ and on behalf
of all other similarly situated employees

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF LOS ANGELES**

10 KARLA IVON GONZALEZ, individually,
and on behalf of all other similarly situated,

11 Plaintiff,

12 vs.

13 LAKE BALBOA HEALTH CARE, INC., a
14 Nevada corporation; NAHS HOLDING,
15 INC., a Nevada corporation; NAHS
16 SOUTHEAST, INC., a Nevada corporation;
17 NAHS SOUTHWEST, INC., a Nevada
corporation; NORTH AMERICAN CLIENT
18 SERVICES, INC., a Nevada corporation;
19 NAHS NORTH, INC., a Nevada
corporation; and DOES 1 through 25,
inclusive,

20 Defendants.

CASE NO.: 21STCV11086

*Assigned for all purposes to the
Hon. Lawrence P. Riff*

Dept.: 51

**DECLARATION OF PAUL DENIS IN
SUPPORT OF JOINT STIPULATION FOR
COURT APPROVAL OF SETTLEMENT OF
ACTION FILED PURSUANT TO PAGA**

1 I, Paul Denis, declare as follows:

2 1. I am an attorney at law duly licensed and admitted to practice before all courts of
3 the State of California. I am counsel for Plaintiff Karla Gonzalez ("Plaintiff") in this action. I
4 have personal knowledge of the facts set forth herein, which are known by me to be true and
5 correct, and if called as a witness, I could and would testify competently thereto.

6 2. I submit this Declaration in support of the parties' Joint Stipulation for Court
7 Approval of Settlement of Action Filed Pursuant to PAGA.

8 3. I am a partner at Denis & Rasi, P.C. I was admitted to California Bar in 2011, and
9 received my J.D. from Loyola Law School, my M.A. in Political Science from California State
10 University, Los Angeles, and my B.A. from Georgetown University. I have dedicated my career
11 to plaintiffs' side class actions and representative actions. My experience includes successful
12 work on class action appeals, class certification motions, and class settlements.

13 4. I have experience in all phases of litigation and trial. I have been in private practice
14 as a litigator, with a sub-specialty in employment litigation, and have exclusively represented
15 employee plaintiffs in individual and class action litigation in California for nine years. I am well
16 versed in class action litigation and have been approved as class counsel by Courts throughout
17 the State of California, including the counties of Los Angeles, Orange, Riverside, San Bernardino,
18 and United States District Court. I have been approved as Class Counsel in connection with both
19 stipulated and contested certification motions.

20 5. I have experience in most phases of litigation, preliminary/final approval of class
21 action settlements, class certifications, and trial. I have been principal of a firm as a litigator with
22 a concentration on wage and hour claims for five years. By focusing exclusively on employment
23 litigation, I have extensive experience in prosecuting class actions and have handled hundreds of
24 wage and hour cases.

25 6. Since on or about 2011, I have assisted in the litigation and settlement of numerous
26 employment class action matters. The class size of these matters ranged from approximately 100
27 to over 8,000 class members.
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7. Denis & Rasi, PC, in Irvine, California, currently serves as lead counsel and/or co-counsel in numerous wage and hour class actions in Los Angeles Superior Court, Orange County Superior Court, San Bernardino Superior Court, and United States District Court for the Central District of California. Some examples of the cases where the Denis & Rasi, PC, served as lead and/or co counsel include: *Taliah Urserly, et al. v. San Bernardino 937, Inc., et al.*, San Bernardino County Case No. CIVDS1502527—wage and hour class action in San Bernardino County, California; *Angela Cruz v. Transport Express, Inc., et al.*, Los Angeles County Case No. BC592528, C/W/ BC565104, BC592538, BC592542—wage and hour class actions in Los Angeles County, California; *Alma Leticia Enriquez Rodriguez v. Guadalupe R. Medina dba Santa Fe Building Maintenance, et al.*, San Bernardino County Case No. CIVDS1602243-- wage and hour class action in San Bernardino County, California; *Sergio Galicia Gonzalez, et al. v. BMC West, LLC*, United States District Court, Central District of California, Case No. 5:17-cv-00390-JGB (RAOx)—wage and hour class action.

8. The \$750,000 Gross Settlement Fund is reasonable, fair and adequate given the circumstances of this action. A penalty of \$750,000 is large enough to punish Defendants for its alleged violations to approximately 1,691 aggrieved employees. At the same time, the penalty amount is not so large as to be unjust, oppressive or confiscatory, considering Defendants' potential exposure. The Gross settlement Fund is also reasonable in light of the facts of the foregoing action, the real risk that no PAGA penalties would be paid, and inherent risks and uncertainties associated with PAGA claims. Specifically, Defendants' operations have been significantly impacted by the ongoing pandemic, and Defendants' financial circumstances influenced negotiations and the ultimate settlement amount. The instant settlement amount achieved as a result of hard fought and protracted negotiations, in conjunction with financial uncertainties associated with continued litigation and the surging pandemic, represents a fair and reasonable settlement, and the circumstances weigh heavily in favor of approval.

9. In litigation costs, my firm has spent at least \$8,613.52 on items such as filing fees, copies, postage, mediation fees, and other fees related to the litigation. This does not include fees for filing the present Joint Stipulation for approval of settlement.

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

3 Executed on December 29, 2021, at Irvine, California.

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5 *Dated: December 29, 2021*

DENIS & RASI, PC

6
7 By 

8 Paul J. Denis
9 Ethan E. Rasi
10 Attorneys for Plaintiff KARLA IVON GONZALEZ
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