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ELECTRONICALLY FILED

Superior Court of California,
County of Alameda

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By: Tomacita Matuz,
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

**ELDER CARE ALLIANCE AND
ALMAVIA WAGE AND HOUR CASES**

Included Actions:

MARITES BALLESTEROS v. ELDER
CARE ALLIANCE OF SAN FRANCISCO
INC. dba ALMAVIA OF SAN
FRANCISCO, et al. Superior Court of
California, County of San Francisco, Case
No. CGC-21-588913

YESENIA ARIAS v. ELDER CARE
ALLIANCE, et al. Superior Court of
California, County of Alameda, Case No.
RG21090600

YESENIA ARIAS v. ELDER CARE
ALLIANCE, et al. Superior Court of
California, County of Alameda, Case No.
RG21102829

MARTA AGUILAR v. ELDER CARE
ALLIANCE OF SAN RAFAEL INC., et al.
Superior Court of California, County of
Alameda, Case No. RG21107053

MARIA TABUYO v. MERCY
RETIREMENT AND CARE CENTER
AND ELDER CARE ALLIANCE INC., et
al.
Superior Court of California, County of
Alameda, Case No. 22CV022908

MARITES BALLESTEROS v. ELDER
CARE ALLIANCE OF SAN FRANCISCO
INC. dba ALMAVIA OF SAN
FRANCISCO, et al. Superior Court of
California, County of
Alameda, Case No. 23CV046186

Case No.: RG21090600 (Lead Case)
CGC-21-588913;
RG21102829;
RG21107053;
22CV022908;
23CV046186

Honorable Somnath Raj Chatterjee
Department 21

CLASS ACTION

**DECLARATION OF YESENIA ARIAS IN
SUPPORT OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: December 9, 2025
Time: 2:30 p.m.
Department: 21

Ballesteros SF Action filed: January 13, 2021
Arias Class Action filed: March 3, 2021
Arias PAGA Action filed: June 24, 2021
Aguilar Action filed: July 29, 2021
Tabuyo Action filed: November 30, 2021
Ballesteros AM Action: October 2, 2023
Filed:

DECLARATION OF YESENIA ARIAS

I, **Yessenia Arias**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in the above-captioned action and the PAGA action entitled *Yessenia Arias v. Elder Care Alliance*, Superior Court of California for the County of Alameda, Case No. RG21102829. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Elder Care Alliance (“Elder Care”) as an hourly-paid, non-exempt caregiver, medication technician, and housekeeper from approximately April 2015 to approximately January 2020. I decided to seek legal advice about my work experiences with Elder Care and about pursuing my grievances. I contacted Lawyers for Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Elder Care was held accountable for their practice of not properly compensating their employees for all hours worked, non-compliant meal and rest breaks, and failure to reimburse expenses. I consulted with the attorneys and staff at Lawyers for Justice, PC discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act (“PAGA”) in general, and what it meant to be a named plaintiff, class representative, and a PAGA representative. Prior to commencing the case, I was informed of and came to understand what my duties and responsibilities would be as a plaintiff, a PAGA representative, and also, if class certification were to be obtained and if I were to be appointed as a representative of the class, what my duties and responsibilities would be in that event.

3. Throughout the pendency of the case, I have spent time speaking with my attorneys regarding the case and fulfilling my responsibilities as a class representative and PAGA representative, which included gathering documents concerning my employment with Elder Care, reviewing documents with my attorneys, answering their questions, providing guidance regarding the duties of hourly and non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Elder Care. I frequently checked in with my attorneys and their staff to make sure that they had all my most current information and

1 any additional information that I had obtained.

2 4. As the case progressed, I was available to answer any questions my attorneys had
3 and remained available to speak and meet with my attorneys whenever they needed me. I
4 responded to them as quickly as possible and gave them as much information and identified as
5 many documents as I could. I spent time speaking with my attorneys about the case, identifying
6 potential witnesses, providing my attorneys with documents and information concerning the
7 case, and also describing policies, practices, and procedures of Elder Care. During the discovery
8 phase of the litigation, I assisted my attorneys in preparing responses to Elder Care's discovery
9 requests and producing responsive documents.

10 5. As far as the settlement is concerned, I was available to review documents and
11 answer any questions my attorneys had. I reviewed the settlement agreement, asked questions,
12 and discussed the potential settlement with my attorneys before signing the settlement
13 agreement.

14 6. I believe that I have done everything that my attorneys have asked of me and have
15 tried, to the best of my ability, to represent the class. I think my efforts helped to get the result
16 obtained in this case, and as a class representative, I respectfully request that the Court award me
17 an enhancement award in the amount of \$7,500.00 for my active participation in this case.
18 Taking into consideration the time that I have dedicated to this case, I believe that this amount is
19 reasonable.

20 7. I am not related to anyone associated with Lawyers for Justice, PC, Wilshire Law Firm,
21 The Ottinger Firm, P.C., or Work Lawyers, P.C.

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

Yesenia Arias
