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MARIA IBANEZ

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ALAMEDA

Maria Ibanez, individually, and on behalf of other
aggrieved employees pursuant to the California
Private Attorneys General Act;

Plaintiff,

v.

Morningstar Senior Management, LLC, a Colorado
limited liability company; and DOES 1-50,
inclusive,

Defendants.

Case No. RG21106917

The Honorable Tara Desautels

**DECLARATION OF MARIA IBANEZ IN
SUPPORT OF PLAINTIFF'S UNOPPOSED
MOTION FOR APPROVAL OF PRIVATE
ATTORNEYS GENERAL ACT
SETTLEMENT AND AWARD OF
ATTORNEY'S FEES AND LITIGATION
COSTS, PLAINTIFF'S RELEASE
PAYMENT, AND ADMINISTRATION
EXPENSES PAYMENT**

Reservation No.: 813501811930

Date: April 26, 2023

Time: 2:30 p.m.

Dept: 16

Complaint Filed: July 29, 2022

Trial Date: None Set

DECLARATION OF MARIA IBANEZ

I, **MARIA IBANEZ**, 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 case, and 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 Defendant Morningstar Senior Management, LLC (“MSM”) from approximately November 2013 to approximately November 2020 as a non-exempt, hourly-paid employee in multiple positions, such as housekeeper, resident care manager, and med care manager. I decided to seek legal advice about my experiences at MSM and about the process of filing a lawsuit for the violations of California law that I experienced. I contacted Brock & Gonzales, LLP and spoke with multiple attorneys there, specifically Danielle L. GruppChang and D. Aaron Brock there. I wanted to take steps to make sure MSM was held accountable for not properly compensating employees for all hours worked, non-compliant meal and rest breaks, and other violations of California law. I investigated representative action lawsuits and employment law firms in California on my own for approximately 5 hours. Prior to signing my retainer agreement, I consulted with the attorneys at Brock & Gonzales, LLP for almost 4 hours discussing my situation, representative action lawsuits under the Private Attorneys General Act (“PAGA”), and what it means to bring a PAGA action.

3. Since deciding to move forward with the filing of the action with Brock & Gonzales, LLP, I have spent over 15 hours speaking and communicating with my attorneys regarding the case and fulfilling my responsibilities as a PAGA representative. This has included providing documents concerning my employment with MSM, reviewing documents with my attorneys and answering their questions about the documents, providing information regarding the duties of employees, and helping to develop a strategy as to what documents and information to obtain from MSM. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained. I have sent my attorneys all employment-related documents I have in my possession, worked to identify potential witnesses, and also described MSM’s policies, practices, and procedures which I am very familiar with because of my long employment with MSM in

multiple positions.

4. I spent about 5 hours reviewing the settlement agreement and about 2 hours asking questions and discussing the potential settlement with my attorneys before signing the settlement agreement.

5. I believe that I have done everything that my attorneys have asked of me and tried, to the best of my ability, to obtain these results for the aggrieved employees and the State of California. I think my efforts helped to get the result obtained in this case.

6. I have also agreed to give a general release, including a waiver of rights under California Civil Code section 1542, as described in paragraph 5.1 of the PAGA Settlement Agreement and Release of Claims.

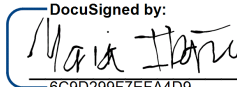
7. I respectfully request that the Court approve and award me a Release Payment in the amount of \$8,000.00 for my efforts and active participation in the case and broader release of claims. I believe that this amount is reasonable.

8. I am not related to anyone associated with Brock & Gonzales, LLP.

9. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive is this Release Payment, if approved by the Court, as well as my share of the settlement as an aggrieved employee.

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

Executed on 4/18/2023, at Hayward, California.

DocuSigned by:

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Maria Ibanez