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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN FRANCISCO

COORDINATION PROCEEDING
SPECIAL TITLE [RULE 3.550]

Judicial Council Coordination Proceeding No.:
CJC-22-005258

ALTUM SENIOR LIVING WAGE AND HOUR
CASES

[Assigned to: Hon Jeffrey S. Ross, Dept. 606]

CLASS ACTION

Included actions:

**DECLARATION OF PALOMA ORTIZ
CRUZ IN SUPPORT OF PLAINTIFFS'
MOTION FOR ATTORNEYS' FEES,
COSTS AND REPRESENTATIVE
ENHANCEMENT AWARDS**

Valdies vs. Altum Senior Living, LLC, et al.,
Superior Court of California, County of San
Diego, Case No. 37-2021-00032142

Ortiz vs. Altum Senior Living, LLC, Superior
Court of California, County of San Francisco,
Case No. CGC-21-595150.

PRELIMINARY APPROVAL HEARING

Date: October 31, 2025

Time: 3:00 p.m.

Dept: 606

DECLARATION OF PALOMA ORTIZ CRUZ

I, Paloma Ortiz Cruz, 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 based on information and belief. As to such matters, I believe them to be true.

2. I make this supplemental 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 Altum Senior Living, LLC (“Altum”). I worked at Altum from approximately May 2020 to approximately December 2020 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to all of Altum’s policies and practices that have been alleged as unlawful in the Class Action Complaint (“Complaint”) and Private Attorneys General Act (“PAGA”) Notice sent to Altum and the Labor & Workforce Development Agency (“LWDA”).

4. I filed this lawsuit because I was concerned that I was not paid properly for all the hours that I worked, I was not provided all of my appropriate meal and rest breaks or reimbursed for all my work-related expenses. While working at Defendant, my coworkers and I were asked to work long hours because of the amount of work, sometimes without taking meal and rest breaks. I also observed my co-workers working long hours without taking breaks.

5. By originating this lawsuit as a Class Representative, I hoped that I might be able to change Defendant’s policies to better protect the working conditions of my co-workers. I also understood it was my duty as the Class Representative to represent the best interests of the class, know about the lawsuit, help my attorneys, and keep updated on the case.

6. I believe the settlement is a good settlement and I would recommend that the Court approve it because I believe that this settlement is fair, adequate, and reasonable. I am

1 glad that I had the opportunity to represent the class in this lawsuit and that I was able to recover
2 money through a settlement for the class. I have also observed my attorneys' work throughout
3 this case and I believe they have been thorough, diligent, prompt, courteous, and professional.

4 7. I understood that the Settlement Agreement in this matter, which I addressed with
5 my attorneys, includes a Civil Code section 1542 waiver, which I understand is a general release
6 of all claims. I voluntarily signed the Settlement Agreement.

7 COMMONALITY AND PREDOMINANCE

8 8. I believe that Defendant's illegal wage and hour practices that affected me also
9 affected all of their hourly employees. For instance, the practice of not paying for all hours
10 worked was common among all employees.

11 9. Other persons who worked at the same location that I worked, but during different
12 shifts and on different days, were not informed of meal and rest breaks policies, nor were they
13 reimbursed for cell phone expenses or uniforms and other work-related items.

14 10. As a result of Defendant failing to compensate for all time worked and failing to
15 provide legally compliant meal periods and rest breaks, or reimburse for work-related expenses,
16 among other things, other employees and I were harmed.

17 TYPICALITY AND ADEQUACY

18 11. I was employed by Defendant in a non-exempt position during the alleged class
19 period. Accordingly, I have brought this class action case on behalf of all other employees who
20 are also or were at some point classified as non-exempt during their employment with
21 Defendants. I believe my alleged claims in this case impacted not only me but the entire class.

22 12. I believe that I have no conflicts of interest with other class members and have
23 agreed to place Class interests above my own.

24 13. I have actively participated in the litigation of this action. Prior to the
25 commencing of this case, I provided Wilshire Law Firm and my attorneys a detailed account
26 of the facts related to my employment with Altum, including, but not limited to, my belief that
27 Altum had a policy and practice of not providing its employees with California compliant meal
28 and rest periods and requiring its employees to work "off-the-clock" prior to clocking in for

1 the workday, during meal periods, and after clocking out for the workday. Additionally, I
2 provided my counsel with wage statement documentation in support of the claims brought
3 against Altum. These documents, along with the anecdotes I shared regarding my
4 employment, assisted my attorneys in understanding the policies and practices at Altum. I
5 also regularly communicated with my attorneys and staff members of Wilshire Law Firm via
6 telephone and text messages.

7 14. My attorneys explained to me the risks and benefits of bringing forward a class
8 action matter. I understood the risks, both professionally and financially, associated with
9 pursuing a class action case and acting as the Class Representative. I further understood that
10 pursuing the case as a class action, rather than individually, meant that it would take
11 substantially longer as a result of the multi-step approval process as mandated by the
12 California Courts. Although I was made aware that there was a possibility that I could receive
13 nothing at the end, I believed that it was important to ensure that Altum followed the law with
14 respect to all of its hourly-paid, non-exempt employees. Additionally, I understood that it was
15 my responsibility to act in the best interests of the Class and not just myself. In that respect, I
16 understood my duties and responsibilities to the proposed Class and carried out and will
17 continue to carry out those duties as necessary.

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

24 16. This was especially true leading up to and during the mediation that took place
25 on December 8, 2022. In preparation for the mediation, I had extensive conversations with my
26 attorneys regarding the nuanced issues that we were going to advance during the negotiation
27 process with the mediator. During the mediation session, I was available to speak with my
28

1 attorneys, answer any questions that arose, and provide any additional documentation that was
2 necessary to assist the settlement discussions.

3 17. I respectfully request that the Court award me a \$5,000 service payment. I am
4 receiving no additional compensation other than the compensation provided for in the
5 settlement. Based on my involvement in this case and the benefits provided to my former co-
6 workers, I can say I helped stand up for the other workers who may have been too afraid to say
7 anything to management because they did not want to risk losing their jobs or risk the stigma of
8 suing an employer. I was not afraid to take that risk because I strongly care about helping out
9 my current and former co-workers. I also continue to fear that any employer may find out that I
10 participated in this lawsuit and hold it against me. In a competitive job market, this factor may
11 weigh heavily against me. Nevertheless, I felt that important rights were at stake that hurt myself
12 and other employees.

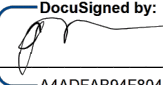
13 18. I estimate that I spent at least 45 hours searching for and collecting documents
14 related to my employment, speaking with my attorneys throughout the litigation, helping my
15 attorneys prepare for mediation, discussing the particulars and reasonableness of the
16 settlement, and reviewing/signing documents related to the settlement.

17 19. I do not have any interest, financial or otherwise, in the proposed cy pres
18 recipient, the California CASA Association, or the third-party administrator, Simpluris, Inc.

19 20. I previously signed a joint prosecution agreement acknowledging that Lawyers
20 for Justice, PC is also serving as counsel for Plaintiffs in this matter.

21 I declare under penalty of perjury, under the laws of the State of California and the United
22 States of America, that the foregoing is true and correct.

23 Executed on May 9, 2025 at San Francisco, California.

24 DocuSigned by:
25 
26 A4ADFAB94F804430

27 Paloma Ortiz Cruz
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