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Attorneys for Plaintiff JULIO C. ROVIRA, LORENA RENTERIA, AND VIRGILIO SANTOS,
on behalf of themselves and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

JULIO C. ROVIRA, individually and on
behalf of himself and all others similarly
situated,

Plaintiff,

v.

SILVERADO SENIOR LIVING
MANAGEMENT, INC., a Delaware
Corporation, and DOES 1-50, inclusive,

Defendants.

Case No. 30-2020-01136565-CU-OE-CXC

CLASS ACTION

Assigned for All Purposes To:
Hon. Glenda Sanders
Dept.: CX-101

**DECLARATION OF PLAINTIFF
VIRGILIO SANTOS IN SUPPORT OF
PLAINTIFFS' MOTIONS FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT, AWARD OF
ATTORNEYS' FEES AND COSTS, AND
CLASS REPRESENTATIVE SERVICE
AWARDS.**

Date: February 24, 2023
Time: 1:30 p.m.
Dept: CX-101

[Filed Concurrently with Notice of Motion and
Motion; Memorandum of Points and
Authorities; Declaration of James R. Hawkins;
and Proposed Order]

1 I, Virgilio Santos, declare as follows:

2 1. I am a named plaintiff in this action against my former employer. I have personal
3 knowledge of all facts in this declaration and, if asked, I would testify to these facts under oath in
4 court.

5 2. I submit this declaration in support of Plaintiffs' Motion for Final Approval of
6 Class Action and PAGA Settlement and Plaintiffs' Motion for Award of Attorneys' Fees and
7 Costs, and Class Representative Service Award.

8 3. As Class Representative, I have always considered the interests of the class just as
9 I would consider my interests and placed the interests of the class above my own since I started
10 the case. In addition, I have put my finances and future employment at risk by pursuing this
11 lawsuit on behalf of myself and other current and former employees of Defendant.

12 4. I understand that over 600 current and former employees of Defendants will
13 receive payments they would not otherwise have recovered but for the initiation of the case.

14 5. I also understand that the Settlement Administrator mailed the Class Notice to the
15 Class on December 2, 2022, including myself. I am informed that through their efforts, as of
16 January 25, 2023 the Settlement Administrator successfully reached and delivered the Notice
17 Packets to 595 of the 662 Class Members, which represents 89.9% of the Class. I understand that
18 no Class Members have submitted an objection or requested exclusion to the Settlement.

19 6. I believe the fact that 89.9% of the Class received direct notice of the Settlement
20 together with the fact that only one member of the Class elected to opt out of the Settlement
21 supports the position that the Settlement is fair, adequate and reasonable.

22 7. I am informed that a total of approximately \$408,600.00 will be distributed to the
23 Participating Class Members in individual settlement payments. I understand that the average
24 settlement payment is approximately \$599.11, and the highest settlement payment is \$1,067.13.

25 8. To date, I have not received any benefits as a result of prosecution of the action. I
26 understand that, if the Court grants final approval of the settlement, I will receive my individual
27 settlement payment in addition to any service award approved by the Court.

28

1 9. Since Spring 2021 I have assisted Class Counsel with this case by remaining
2 available for Class Counsel and participating actively in the litigation and staying aware of status
3 and progress of the lawsuit.

4 10. I thoroughly reviewed the complaint and discussed the contents with Class
5 Counsel. I spent hours discussing the facts related to my employment with Defendants, including
6 discussing my job duties and responsibilities as a non-exempt employee, my experiences, my
7 observations, Defendant's policies and practices, the hours and days I worked, and how I and the
8 other employees were compensated. I also spent hours looking at all documents related to my
9 employment with Defendant and sending them to my attorneys, which included wage statements,
10 personnel documents, emails, text messages, and separation paperwork. I have identified
11 witnesses, produced and reviewed documents for discovery, and submitted numerous
12 declarations. I reviewed and discussed the mediator's proposal and settlement agreement with
13 Class Counsel and their staff. I also assisted my attorneys by keeping them apprised of the
14 settlement campaign that I believe Silverado entered into with other employees. I assisted
15 counsel in preparing to challenge the individual settlement agreements and I believe that this
16 ultimately assisted in guiding this action towards resolution. The time and service I provided to
17 the Class resulted in the parties agreeing to settle the case and in a positive outcome to the entire
18 Class, who will receive a share of the settlement funds in this case.

19 11. I am requesting the Court approve the \$2,500 Service Award preliminarily
20 approved by the Court. I believe this amount is reasonable considering the amount of work and
21 time I spent with my attorneys to achieve this settlement for the Class.

22 12. I further believe the amount of the Class Representative Service Payment is
23 reasonable considering the financial and professional risks I took by appearing as a Class
24 Representative in a lawsuit against my former employer, including the potential of paying court-
25 awarded litigation costs to Defendant and the negative exposure to future employers. I also gave a
26 broad release of all claims against Defendant arising from my employment that other Class
27 Members, other than the other representatives, did not have to give.

13. Except for this action, I have not been named as a class representative in any other case, pending, or closed.

14. Even though I knew I was taking risks, I knew I had to do what I believed was right and pursue claims on behalf of other employees to vindicate our rights and attempt to recover the wages owed to us.

15. I believe the Class Members, who might not have been aware of their rights if not for this class action, will substantially benefit by resolution of their claims against Defendants for the Gross Settlement Amount of \$750,000.00.

16. As the appointed Class Representative, I remain committed to this case, as I have been since August 2021, and I intend to continue to participate as needed until the conclusion of this matter for the benefit of the Class.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on January 30, 2023 in Escondido, California.

Virgilio Santos (Jan 30, 2023 18:13 PST)

Virgilio Santos