

Justin F. Marquez (SBN 262417)
justin@wilshirelawfirm.com
Christina M. Le (SBN 237697)
cle@wilshirelawfirm.com
Arsiné Grigoryan (SBN 319517)
agrigoryan@wilshirelawfirm.com
WILSHIRE LAW FIRM
3055 Wilshire Blvd., 12th Floor
Los Angeles, California 90010
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

VANESSA MURILLO, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

SAN BERNARDINO MEDICAL
ORTHOPAEDIC GROUP, INC. DBA
ARROWHEAD ORTHOPAEDICS, a California
corporation, and DOES 1 through 10, inclusive,

Defendants.

Case No. CIVSB2128071

CLASS ACTION

*[Assigned for all purposes to Judge David
Cohn, Dept. S-26]*

**DECLARATION OF VANESSA
MURILLO IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

*[Filed concurrently with: Plaintiff's Notice of
Motion and Motion for Preliminary Approval
of Class Action Settlement, Memorandum of
Points and Authorities; Declaration of Justin
F. Marquez in Support of Plaintiff's Motion
for Preliminary Approval of Class Action
Settlement; and [Proposed] Order Granting
Plaintiff's Motion for Preliminary Approval
of Class Action Settlement]*

PRELIMINARY APPROVAL HEARING

Date: July 20, 2022

Time: 10:00 a.m.

Dept: S-26

Complaint filed: September 30, 2021

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

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

18 7. This was especially true leading up to and during the mediation that took place on
19 April 19, 2022. In preparation for the mediation, I had extensive conversations with my attorneys
20 regarding the nuanced issues that we were going to advance during the negotiation process with
21 the mediator. During the mediation session, I was available to speak with my attorneys, answer
22 any questions that arose, and provide any additional documentation that was necessary to assist the
23 settlement discussions.

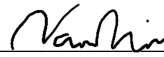
24 8. On or about June 3, 2022, I reviewed the Joint Stipulation re: Class Settlement
25 (“Settlement Agreement”) in full and discussed all the terms with my attorneys. My attorneys
26 answered all the questions I had regarding the Settlement Agreement. I believe the settlement
27 terms and allocations are fair, adequate, and reasonable given the strength of the class claims and
28 Arrowhead Orthopaedics’s defenses. That same day, I signed the Settlement Agreement.

1 9. I estimate that I spent approximately 40 hours searching for and collecting
2 documents related to my employment, speaking with my attorneys throughout the litigation,
3 helping my attorneys prepare for mediation, discussing the particulars and reasonableness of the
4 settlement, and reviewing/signing documents related to the settlement.

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

7 Executed on 6/24/2022 at [San Bernardino], California.

8 DocuSigned by:

9 

10 Vanessa Murillo

PROOF OF SERVICE

Murillo v. San Bernardino Medical Orthopedic Group, Inc., et al.
CIVSB2128071

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Sandy S. Sespene, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is ssespene@wilshirelawfirm.com.

On **June 27, 2022**, I served the foregoing **DECLARATION OF VANESSA MURILLO IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

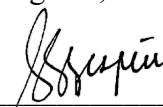
Joshua Carlon (SBN 263838)
joshua.carlon@lewisbrisbois.com
Robert Walker (SBN 254337)
Robert.Walker@lewisbrisbois.com

LEWIS BRISBOIS
633 W. 5th Street, Suite 4000
Los Angeles, CA 90071
Telephone: (213) 281-5235
Fax: (213) 250-7900

Attorneys for Defendant,
San Bernardino Medical Orthopedic Group, Inc.

- (X) **BY MAIL:** I enclosed the above documents in a sealed envelope with postage thereon fully prepaid and placed for collection and mailing on the above date in accordance with ordinary business practices. I am readily familiar with this firm's practice of collection and processing of correspondence for mailing with the United States Postal Service, and that the correspondence shall be deposited with the United States Postal Service the same day in the ordinary course of business pursuant to Cal. Code Civ. Proc. § 1013(a).
- (X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

Executed on **June 27, 2022**, at Los Angeles, California.



Sandy S. Sespene