

1 **JAMES HAWKINS APLC**

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14 *[Additional Counsel Listed On Next Page]*

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **FOR THE COUNTY OF YOLO**

17 Coordination Proceeding

18 Special Title (Rule 3.550)

19 **HUMANO WAGE AND HOUR CASES**

20 Included actions:

21 Hines v. Humano LLC

22 Emmens v. Humano LLC

23 Thurman v. Humano LLC

JUDICIAL COUNCIL COORDINATION

PROCEEDING

No. 5240

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SACRAMENTO

No. 34-2022-00313411

SUPERIOR COURT OF CALIFORNIA

COUNTY OF YOLO

No. CV2021-2225

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN BERNARDINO

No. CIVSB2227784

*[Assigned for all purposes to Hon. Daniel M.  
Wolk, Dept. 8]*

**DECLARATION OF JAMES HAWKINS  
IN SUPPORT OF MOTION FOR  
FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: December 20, 2024

Time: 10:30 a.m.

Dept.: 8

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7

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19 Attorneys for Plaintiff Jermaine Hines  
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1 I, James Hawkins, declare as follows:

2 1. I am an individual over the age of 18. I am a partner at the law firm of James  
3 Hawkins, APLC. I am one of the attorneys of record for Plaintiff Doris J. Thurman, who along  
4 side, Plaintiffs Michael Emmens and Jermaine Hines (hereinafter referred to as "Plaintiffs" or  
5 "Class Representatives") move for Final approval of the Class Action Settlement. I submit this  
6 declaration in support of Plaintiffs' Motion for Final Approval of Class Action Settlement, which  
7 Plaintiffs filed concurrently herewith, along with the supporting Memorandum of Points and  
8 Authorities. I have personal knowledge of the facts set forth below, and if called to testify  
9 regarding them, I could and would do so competently.

10 2. Despite the complexity of the case, Class Counsel has, through the investment of  
11 substantial effort and the resources of my law firm and co-counsel's, we have been able to secure  
12 an outstanding settlement on behalf of the Settlement Class. Plaintiffs would have faced  
13 substantial legal and factual obstacles in demonstrating that class certification was appropriate.  
14 Plaintiffs would also have been required to establish a significant amount of witness testimony,  
15 pattern and practice evidence, statistical evidence, sampling evidence, expert testimony, and other  
16 evidence in order to present their case both at the class certification stage and trial. Defendant  
17 vigorously contested liability, the amount of claimed damages, and the propriety of class  
18 certification, and would have continued to do so through trial. Accordingly, I believe the  
19 Settlement to be fair, reasonable, and adequate and in the best interests of the Settlement Class.  
20 The fairness and adequacy of the Settlement is confirmed by all known facts and circumstances,  
21 including the risk of significant delay and uncertainty associated with litigation, the various  
22 defenses asserted by Defendant, and numerous potential appellate issues.

23 3. I have a great deal of experience in wage and hour class action litigation. I have  
24 obtained certification of several classes, I have been approved as class counsel in many other  
25 wage/hour class actions, and I am currently litigating numerous others. Although not an all  
26 inclusive list, over the years I have prosecuted the following class action matters as lead and/or co-  
27 lead counsel, all of which implicated similar law and facts to those associated with this action:

28 a. *Aguilar v. 7-Eleven, Inc.*, et. al., Orange County Superior Court- Case No.: 30-

1 2009-00268714-CU-OE-CXC. Certified Wage and Hour Class action seeking premium  
2 wages for meal period and rest periods and resultant penalties. Class  
3 Notice pending.

4 b. *Carey, et. al. v. Arthur J. Gallagher, et. al.*, USDC, SOUTHERN DISTRICT- Case  
5 No.: 09-cv-0168. Wage and Hour Class action seeking past wages of overtime for mis-  
6 classification of insurance claims adjusters employed by Gallagher Bassett, a third  
7 party administrator (TPA) in the State of California. Certification granted. Plaintiffs'  
8 counsel co-lead counsel. Case settled, Final Approval granted, no objections and funds  
9 fully distributed.

10 c. *Dao v. 3M Company, et al.* USDC, CENTRAL DISTRICT, Case No. CV-08-  
11 04554. Wage and Hour Class Action case seeking past wages for "off the clock",  
12 overtime and meal and rest break violations for production workers in the State of  
13 California. Plaintiffs' Counsel appointed as Lead Counsel. Case settled, Final  
14 Approval granted, no objections and funds fully distributed.

15 d. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW.  
16 Wage and Hour Class Action case seeking past wages for meal and rest period  
17 violations for retail employees in the State of California. Plaintiffs' counsel appointed  
18 co-lead counsel. Case settled, Final Approval granted, no objections and funds fully  
19 distributed.

20 e. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.  
21 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal and  
22 rest period violations for retail employees in the State of California. Plaintiffs'  
23 Counsel appointed as Lead Counsel. Case settled, Final Approval granted, no  
24 objections and funds fully distributed.

25 f. *West v Iron Mountain Information Management, Inc, et. al.*; Los Angeles County  
26 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past  
27 wages for overtime, meal and rest break violations for driver employees in the State of  
28 California. Settlement for "binding arbitration." Arbitration Award for Plaintiff Class.

1 Arbitration Award confirmed. Plaintiffs' counsel, lead trial counsel and class counsel.  
2 g. *Gonzalez v. Superior Industries Inter, Inc., et al.*, Los Angeles County Superior  
3 Court, Case No. BC 357912. Wage and Hour Class Action seeking past wages for  
4 overtime, meal and rest breaks violations for production employees in the State of  
5 California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval  
6 granted, no objections and funds fully distributed.

7 h. *Acosta v. Fleetwood Travel Trailers of California, Inc.*, et al., Riverside County  
8 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past  
9 wages for overtime, meal and rest break violations for production employees in the  
10 State of California. Plaintiffs' counsel appointed as co-lead counsel. Case settled,  
11 Final Approval granted, no objections and funds fully distributed.

12 i. *Walker v. Sharkeez, et al.*, Orange County Superior Court, Case No. 05CC00293.  
13 Wage and Hour Class Action seeking past wages for unlawful deductions, meal and  
14 rest break violations for restaurant employees in the State of California. Plaintiffs'  
15 counsel appointed as lead counsel. Case settled, Final Approval granted and funds  
16 fully distributed.

17 j. *Padron v. Universal Protection Service, et al*, Orange County Superior Court, Case  
18 No. 05CC00013. Wage and Hour Class Action seeking past wages for overtime, meal  
19 and rest break violations for security officers in the State of California. Plaintiffs'  
20 counsel appointed as co-lead counsel. Case settled, Final Approval granted, no  
21 objections and funds fully distributed.

22 k. *Martinez v. Securitas Security Services USA*, et al., Santa Clara Superior Court,  
23 Case No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action  
24 seeking past wages for meal and rest break violations for security officers employed by  
25 defendant in the State of California. Plaintiffs' counsel and co-counsel. Case settled,  
26 Final Approval granted and funds fully distributed.

27 l. *Velasquez-Lopez v. Hotel Cleaning Services, Inc.* et al., Riverside Superior Court,  
28 Case No. RIC 420909. Wage and Hour Class Action seeking past wages for overtime,

1 meal and rest break violations for housekeepers employed by defendant in the State of  
2 California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval  
3 granted, no objections and funds fully distributed.

4 m. *Ruiz, et al. v. Unisource Worldwide, Inc., et al.*, USDC, CENTRAL DISTRICT,  
5 Case No. CV09-05848. Wage and Hour Class Action seeking past wages for meal and  
6 rest period violations for non-exempt employees employed by defendant in the state of  
7 California. Case settled. Awaiting Preliminary Approval hearing. Plaintiff has  
8 petitioned the Court for Lead Counsel.

9 n. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL  
10 DISTRICT, Case No. SACV 08-680. Wage and Hour Class Action seeking past wages  
11 for field and branch employees of defendant in the State of California. Plaintiffs'  
12 counsel appointed as lead counsel. Case settled and awaiting Final Approval.

13 o. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case No.  
14 05CC00128. Wage and Hour Class Action seeking past wages for restaurant  
15 employees of defendant in the State of California. Plaintiffs' counsel appointed as lead  
16 counsel. Case settled, Final Approval granted, no objections and funds fully  
17 distributed.

18 p. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case No.  
19 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest  
20 break violations for security guards employed by defendant in the State of California.  
21 Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval granted, no  
22 objections and funds fully distributed.

23 q. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles Superior  
24 Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal and  
25 rest break violations for production employees employed by defendant in the State of  
26 California. Plaintiff counsel appointed as lead counsel. Case settled, Final Approval  
27 granted, no objections and funds fully distributed.

28 r. *McMurray v. Dave and Busters, Inc., et al.*, Orange County Superior Court, Case

1 No. 06CC00099. Wage and Hour Class Action seeking past wages for meal and rest  
2 break violations for restaurant employees employed by defendant in the State of  
3 California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final  
4 Approval granted, no objections and funds fully distributed.

5 s. *Osuna v. DFG Restaurants, Inc.*, et al., Los Angeles Superior Court, Case No. BC  
6 330145. Wage and Hour Class Action seeking past wages of overtime for mis-  
7 classification of managers employed by Defendant, DBA Carl's Jrs. in the State of  
8 California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final  
9 Approval granted, no objections and funds fully distributed.

10 t. *Burns v. Gymboree Operations, Inc.*, et al., San Francisco Superior Court, Case No.  
11 CGC-07-461612. Wage and Hour Class Action seeking past wages for meal and rest  
12 break violations for retail employees employed by defendant in the State of California.  
13 Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval granted, no  
14 objections and funds fully distributed.

15 u. *Willems v. Diedrich Coffee, Inc.*, et al., Orange County Superior Court, Case No.  
16 07CC00015. Wage and Hour Class Action seeking past wages of overtime for mis-  
17 classification of managers employed by Defendant in the State of California.  
18 Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval granted, no  
19 objections and funds fully distributed.

20 v. *Davila, et al. v. Beckman Coulter, Inc.*, et al., Orange County Superior Court, Case  
21 No. 07CC01347. Wage and Hour Class Action seeking past wages for overtime, meal  
22 and rest break violations for production workers employed by defendant in the State of  
23 California. Plaintiffs' counsel appointed lead counsel. Case settled; final approval  
24 granted; no objections and funds fully distributed.

25 w. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior Court,  
26 Case No. BC387088. Wage and Hour Class Action seeking past wages for overtime,  
27 meal and rest period violations for production employees employed by defendant in the  
28 State of California. Plaintiff counsel appointed as lead counsel. Case settled, Final

1 Approval granted, no objections and funds fully distributed.

2 4. Our firm served as class counsel in a number of significant wage and hour  
3 settlements. Of particular note, in 2019, our firm was co-lead counsel in securing the largest  
4 wage and hour class action settlement in California history at \$130,000,000. During this case,  
5 Plaintiffs appealed a decertification order. This case involved several appeals. The appellate  
6 record amassed an extensive appellate record comprising a 23-volume joint appendix, a three-  
7 volume reporters transcript, five briefs, four letter briefs, two motions for judicial notice, a motion  
8 to augment the record, and several additional letters informing the appellate court of new legal  
9 authority issued after *Dukes*. The matter was argued to and submitted by the Court of Appeal on  
10 September 15, 2016, and on November 21, 2016, the decertification order was reversed and the  
11 case was remanded for further proceedings. (*Lubin v. The Wackenhut Corporation* (“*Lubin*”), 5  
12 Cal. App. 5th 960 (2016)). Wackenhut filed a petition for review of the Court of Appeal decision  
13 to the California Supreme Court. The Supreme Court denied Wackenhut’s petition for review of  
14 *Lubin*. The Court of Appeal issued remittitur on April 10, 2017. Eventually through more  
15 litigation, the parties were able to secure the 130 million settlement that was approved on October  
16 21, 2019 by Judge Highberger in the Los Angeles Superior Court.

17 5. Here, the Parties’ agreement to pay Class Counsel Fees in the amount of  
18 \$500,000.00 (i.e. 1/3) of the Gross Settlement Amount is reasonable. Plaintiffs’ counsel have  
19 borne the entire risk and cost of this litigation on a pure contingency fee basis. The legal issues  
20 raised drew significantly upon my firms and co-counsel’s experience and the extensive review  
21 and analysis of documents and information by me and others at my firm and our co-counsels’. In  
22 a complex action such as this, the proposed attorneys’ fees are, at the very least, on the low side  
23 of the market rate for contingency fees.

24 6. My firm as Class Counsel, on behalf of Plaintiffs and the Settlement Class  
25 Members, has accrued over **\$40,000.00** in fees.

26 7. In addition to the requested attorneys’ fees, our office has expended approximately  
27 **\$5,207.24** in costs in prosecuting this action. These costs have been necessary costs associated  
28 with prosecution of this important matter. Counsel for Plaintiff respectfully requests the Court

1 grant the request to have these costs repaid from the Settlement. Attached hereto as **Exhibit A** is  
2 a true and correct copy of my firm's Billing Detail.

3 8. As referenced in the Motion for Preliminary Approval, to the extent any uncashed  
4 settlement funds remain after 180 days of the mailing of the Individual Settlement Payment  
5 and/or individual PAGA payment checks, the Parties have agreed that all such uncashed  
6 settlement funds shall be distributed to Legal Aid at Work as a *cy pres* recipient. See SA § C-24.  
7 Class Counsel does not have any conflicts of interest with the proposed *cy pres* recipient.

8 9. Despite the complexity of the case, Class Counsel has, through the investment of  
9 substantial effort and the resources of my law firm and co-counsels have been able to secure an  
10 outstanding settlement on behalf of the Settlement Class. Plaintiffs would have faced substantial  
11 legal and factual obstacles in demonstrating that class certification was appropriate. Plaintiffs  
12 would also have been required to establish a significant amount of witness testimony, pattern and  
13 practice evidence, statistical evidence, sampling evidence, expert testimony, and other evidence in  
14 order to present their case both at the class certification stage and trial. Defendant has vigorously  
15 contested liability, the amount of claimed damages, and the propriety of class certification, and  
16 would have continued to do so through trial. Accordingly, I believe the Settlement to be fair,  
17 reasonable, and adequate and in the best interests of the Settlement Class. The fairness and  
18 adequacy of the Settlement is confirmed by all known facts and circumstances, including the risk  
19 of significant delay and uncertainty associated with litigation, the various defenses asserted by  
20 Defendant, and numerous potential appellate issues.

21 10. Attached here to as **Exhibit B** is a true and correct copy of Plaintiff's Doris J.  
22 Thurman's Declaration In Support of Motion for Preliminary Approval of Class Action  
23 Settlement.

24 11. Plaintiffs have caused to be served onto the LWDA the Settlement Agreement and  
25 this Motion for Final Approval.

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1 I declare under penalty of perjury under the laws of the Unites States that the foregoing is  
2 true and correct to the best of my personal knowledge. Executed on November 6, 2024, in Irvine,  
3 California.

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6 James R. Hawkins, Esq.  
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## **EXHIBIT A**

# Matter Billing Detail

## JAMES HAWKINS APLC

Date Range: 01/01/1900 to 11/04/2024  
Client: HUMANOLLC - Doris J. Thurman  
Matter: HUMANO LLC - Humano LLC- Doris J. Thurman v. Humano LLC

| Date       | Expense Code | Description                                                                                                                        | Debit      | Credit | Billing Status | On Hold | Invoice Number | Check Number | Payee |
|------------|--------------|------------------------------------------------------------------------------------------------------------------------------------|------------|--------|----------------|---------|----------------|--------------|-------|
|            |              | Balance Forward:                                                                                                                   | \$0.00     |        |                |         |                |              |       |
| 12/13/2022 | FIL          | Filing Fee - LWDA Filing                                                                                                           | \$75.00    |        | Unbilled       |         |                |              |       |
| 12/13/2022 | POS          | Postage - 12.13.22 Crs via cert mail to agent re LWDA Filing                                                                       | \$9.41     |        | Unbilled       |         |                |              |       |
| 12/13/2022 | FST          | First Legal Network - Filing - S&C, Initial Docs IN# 30224217                                                                      | \$108.51   |        | Unbilled       |         |                |              |       |
| 02/20/2023 | FST          | First Legal Network - Filing - S&C, Initial Docs IN# 30227367                                                                      | \$100.11   |        | Unbilled       |         |                |              |       |
| 04/03/2023 | FST          | First Legal Network - Process Serve - S&C, Initial Docs, Filing - POS IN# 30233810                                                 | \$190.79   |        | Unbilled       |         |                |              |       |
| 04/04/2023 | FST          | First Legal Network - Additional Billing - S&C, Initial Docs, (2) IN# 30233810                                                     | \$3,157.00 |        | Unbilled       |         |                |              |       |
| 04/06/2023 | CRT          | Court Documents - 04.03.23 Initial CMC Order                                                                                       | \$5.00     |        | Unbilled       |         |                |              |       |
| 06/13/2023 | FST          | First Legal Network - Filing - Ntc of Minute Order, Joint CM Report IN# 30240914                                                   | \$280.18   |        | Unbilled       |         |                |              |       |
| 07/14/2023 | FST          | First Legal Network - Filing - Notice of Non Opposition IN# 30244254                                                               | \$134.07   |        | Unbilled       |         |                |              |       |
| 08/25/2023 | FST          | First Legal Network - Filing - Joint CM statement IN# 30248438                                                                     | \$86.11    |        | Unbilled       |         |                |              |       |
| 08/20/2024 | LDS          | Legal Document Server - COurtesdy Copy Delivery - Joint CAse management Report and Request to Continue aug 26 2024 IN# 10235481-02 | \$90.00    |        | Unbilled       |         |                |              |       |
| 08/30/2024 | LDS          | Legal Document Server - E-Filing - Reqeust Filed re -20.00 In# 10235481-01                                                         | \$35.20    |        | Unbilled       |         |                |              |       |
|            |              | Total:                                                                                                                             | \$4,271.38 | \$0.00 |                |         |                |              |       |
|            |              | Balance:                                                                                                                           | \$4,271.38 |        |                |         |                |              |       |

Matter Billing Detail

JAMES HAWKINS APLC

| Date                                    | Expense Code | Description | Debit      | Credit | Billing Status | On Hold | Invoice Number | Check Number | Payee |
|-----------------------------------------|--------------|-------------|------------|--------|----------------|---------|----------------|--------------|-------|
| Total Fees Billed- - - - -              |              |             | \$0.00     |        |                |         |                |              |       |
| Total Fees Unbilled : - - - - -         |              |             | \$0.00     |        |                |         |                |              |       |
| Total Fees Received : - - - - -         |              |             | \$0.00     |        |                |         |                |              |       |
| Total Soft Cost Billed : - - - - -      |              |             | \$0.00     |        |                |         |                |              |       |
| Total Soft Cost Unbilled : - - - - -    |              |             | \$0.00     |        |                |         |                |              |       |
| Total Soft Cost Received : - - - - -    |              |             | \$0.00     |        |                |         |                |              |       |
| Total Hard Cost Billed : - - - - -      |              |             | \$0.00     |        |                |         |                |              |       |
| Total Hard Cost Unbilled : - - - - -    |              |             | \$4,271.38 |        |                |         |                |              |       |
| Total Hard Cost Received : - - - - -    |              |             | \$0.00     |        |                |         |                |              |       |
| Total Taxes Billed : - - - - -          |              |             | \$0.00     |        |                |         |                |              |       |
| Total Taxes Unbilled : - - - - -        |              |             | \$0.00     |        |                |         |                |              |       |
| Total Taxes Received : - - - - -        |              |             | \$0.00     |        |                |         |                |              |       |
| Total Late Charges Billed : - - - - -   |              |             | \$0.00     |        |                |         |                |              |       |
| Total Late Charges Unbilled: - - - - -  |              |             | \$0.00     |        |                |         |                |              |       |
| Total Late Charges Received : - - - - - |              |             | \$0.00     |        |                |         |                |              |       |
| Trust Balance: - - - - -                |              |             | \$0.00     |        |                |         |                |              |       |

# Matter Billing Detail

## JAMES HAWKINS APLC

Date Range: 01/01/1900 to 11/04/2024  
Client: HUMANOLLC - Doris J. Thurman  
Matter: HUMANO PAGA - Humano LLC PAGA - Doris J. Thurman v. Humano LLC

| Date             | Expense Code | Description                                                                                                                                                                                | Debit    | Credit | Billing Status | On Hold | Invoice Number | Check Number | Payee |
|------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------|----------------|---------|----------------|--------------|-------|
| Balance Forward: |              |                                                                                                                                                                                            | \$0.00   |        |                |         |                |              |       |
| 05/03/2023       | FST          | First Legal Network - Process Serve - S&C, Initial Docs, Filing - Plfs Ntc of ICMC Order, POS IN# 30237327                                                                                 | \$387.49 |        | Unbilled       |         |                |              |       |
| 06/20/2023       | FST          | First Legal Network - Filing - Joint Case Management Report IN# 30240914                                                                                                                   | \$134.07 |        | Unbilled       |         |                |              |       |
| 08/25/2023       | FST          | First Legal Network - Filing - Joint CM statement IN# 30248438                                                                                                                             | \$86.11  |        | Unbilled       |         |                |              |       |
| 02/23/2024       | FST          | First Legal Network - Filing - Joint Case Mgmnt Report, Prop Order IN# 30271388                                                                                                            | \$164.29 |        | Unbilled       |         |                |              |       |
| 02/28/2024       | CRT          | Court Documents - 02.27.24 Order Re Continuance of CMC                                                                                                                                     | \$3.50   |        | Unbilled       |         |                |              |       |
| 08/20/2024       | LDS          | Legal Document Server - Courtesy Copy Delivery - Joint Case Management Report and Request to Continue Aug 27 2024, CAse management Conference Proposed Order, EFile- Order IN# 10235546-02 | \$90.00  |        | Unbilled       |         |                |              |       |
| 08/30/2024       | LDS          | Legal Document Server - E-Filing - Request Filed re IN# 10235546-01                                                                                                                        | \$35.20  |        | Unbilled       |         |                |              |       |
| 08/30/2024       | LDS          | Legal Document Server - Request Filed re - 20.00 IN# 10235546-01                                                                                                                           | \$35.20  |        | Unbilled       |         |                |              |       |
| Total:           |              |                                                                                                                                                                                            | \$935.86 | \$0.00 |                |         |                |              |       |
| Balance:         |              |                                                                                                                                                                                            | \$935.86 |        |                |         |                |              |       |

Matter Billing Detail

JAMES HAWKINS APLC

| Date                                    | Expense Code | Description | Debit    | Credit | Billing Status | On Hold | Invoice Number | Check Number | Payee |
|-----------------------------------------|--------------|-------------|----------|--------|----------------|---------|----------------|--------------|-------|
| Total Fees Billed- - - - -              |              |             | \$0.00   |        |                |         |                |              |       |
| Total Fees Unbilled : - - - - -         |              |             | \$0.00   |        |                |         |                |              |       |
| Total Fees Received : - - - - -         |              |             | \$0.00   |        |                |         |                |              |       |
| Total Soft Cost Billed : - - - - -      |              |             | \$0.00   |        |                |         |                |              |       |
| Total Soft Cost Unbilled : - - - - -    |              |             | \$0.00   |        |                |         |                |              |       |
| Total Soft Cost Received : - - - - -    |              |             | \$0.00   |        |                |         |                |              |       |
| Total Hard Cost Billed : - - - - -      |              |             | \$0.00   |        |                |         |                |              |       |
| Total Hard Cost Unbilled : - - - - -    |              |             | \$935.86 |        |                |         |                |              |       |
| Total Hard Cost Received : - - - - -    |              |             | \$0.00   |        |                |         |                |              |       |
| Total Taxes Billed : - - - - -          |              |             | \$0.00   |        |                |         |                |              |       |
| Total Taxes Unbilled : - - - - -        |              |             | \$0.00   |        |                |         |                |              |       |
| Total Taxes Received : - - - - -        |              |             | \$0.00   |        |                |         |                |              |       |
| Total Late Charges Billed : - - - - -   |              |             | \$0.00   |        |                |         |                |              |       |
| Total Late Charges Unbilled: - - - - -  |              |             | \$0.00   |        |                |         |                |              |       |
| Total Late Charges Received : - - - - - |              |             | \$0.00   |        |                |         |                |              |       |
| Trust Balance: - - - - -                |              |             | \$0.00   |        |                |         |                |              |       |

## **EXHIBIT B**

**JAMES HAWKINS APLC**

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Attorneys for Plaintiff DORIS J. THURMAN

*[Additional Counsel Listed On Next Page]*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF YOLO**

Coordination Proceeding  
Special Title (Rule 3.550)

**HUMANO WAGE AND HOUR CASES**

Included actions:

Hines v. Humano LLC

Emmens v. Humano LLC

Thurman v. Humano LLC

JUDICIAL COUNCIL COORDINATION  
PROCEEDING  
No. 5240

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO  
No. 34-2022-00313411

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF YOLO  
No. CV2021-2225

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
No. CIVSB2227784

*[Assigned for all purposes to Hon. Daniel M.  
Wolk, Dept. 8]*

**DECLARATION OF PLAINTIFF  
DORIS J. THURMAN IN SUPPORT OF  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: July 19, 2024

Time: 10:30 a.m.

Dept.: 8

**DECLARATION OF DORIS J. THURMAN**

I, DORIS J. THURMAN hereby declare as follows:

1. I am over the age of eighteen. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendant Humano LLC, ("Defendant" or "Humano") in February of 2021 until May of 2021 and then again in August 2021 as a Non-Exempt Employee with the title of Labeler and worked during the liability period for Defendant, at Defendant's Fontana, CA location until December 2021.

3. I decided to bring this lawsuit because I did not feel that I was treated fairly as an employee of Defendant, especially with regard to not being paid properly for all the hours I worked, and not getting all of my proper lunches and rest breaks. The Complaint which I brought against Defendant, alleged claims for: (a) failure to pay wages including overtime; (b) failure to provide meal periods for every work period exceeding more than five (5) or ten (10) hours per day and failure to pay an additional hour's of pay or accurately pay an additional hour's of pay in lieu of providing a meal period; (c) failure to provide rest breaks for every four hours or major fraction thereof worked and failure to pay an additional hour's of pay or accurately pay an additional hour's of pay in lieu of providing a rest period; (d) failing to pay all wages earned during employment and owed upon separation from Defendant's employ; (e) failing to provide accurate itemized wage statements; (f) failing to accurately pay sick leave, (g) for payment of wages in non-Labor Code compliant instrument; (h) failing to reimburse expenses, and (i) for unfair competition (UCL).

4. I believe that my interests have been and continue to be in alignment with the Class, and I am willing to continue to pursue and prosecute their representative claims against Defendant in this litigation. I believe I do not have any interests which are against the interests of the Class, and I will continue to do what is best for all the Class rather than myself, as I have done from the beginning of this case.

5. My relationship with James Hawkins, APLC is purely an attorney client relationship and there are no other business, familial or social relationships between my attorney

1  
2 and myself. In addition, I do not have any relationship with Defendant other than being a  
3 former employee of Defendant. For these reasons, there is no conflict of interest between  
4 myself, my attorney, between Defendant, and myself or between the Class Members and myself.

5 6. It is my understanding this lawsuit could not have been prosecuted or settled  
6 unless I or some other employee decided to serve as a named plaintiff and pursue the case. In  
7 deciding to serve as a named plaintiff, I understood that my name would be publicly attached to  
8 this lawsuit and that my work experiences to some extent would be set forth in a public court  
9 file. I recognized that I would need to devote a certain amount of time that I could have spent  
10 otherwise. I also recognized that my bringing the lawsuit carried some degree of risk. Despite  
11 this, I decided to serve as a named plaintiff without any promise of recovery or compensation.

12 7. I am familiar with the work involved in prosecuting this case. I have participated  
13 in numerous meetings and communications with my lawyers regarding this case. I am familiar  
14 with the allegations and defenses of the claims in this case. I am familiar with the major events  
15 in this case, including the investigation performed by my lawyers, the mediation with Defendant  
16 that resulted in this settlement, and the preparation of settlement papers and the need to obtain  
17 court approval of the proposed settlement. I also prepared for my deposition, although it was  
18 never taken as a result of the settlement, and I participated in all stages of the litigation and  
19 provided my lawyers with information and documents regarding my employment with  
20 Defendant.

21 8. I believe that the proposed settlement obtained on behalf of the other Class  
22 Members is excellent in view of the issues and risks involved with the case.

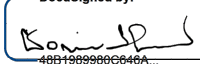
23 9. I believe I have fulfilled my duties as a named plaintiff and class representative,  
24 which required a significant amount of time and effort during the course of this case. These  
25 efforts required dedicating numerous hours to lawsuit activities including, but not limited to:  
26 (a) communicating with my attorneys to stay informed of ongoing developments in the case and  
27 to discuss the proposed settlement ultimately negotiated; (b) searching for and providing  
28 documents and other materials relating to my work experience; (c) responding to requests for  
information relating to my work experience; (d) preparing for my deposition although it was

1  
2 never taken as result of the settlement, and (e) reviewing filings and key documents including  
3 drafts of the complaint and the settlement agreement. These tasks required my dedication of at  
4 least 35-40 or more hours of my time, which time I honestly could have spent on family,  
5 personal time, or work. My understanding is that future tasks may require several more hours of  
6 my time. I believe I have been diligent and that I have acted above and beyond that of which is  
7 expected of a named plaintiff to date and will continue to do so.

8 10. It is my opinion that \$10,000.00 is a fair and adequate award for my service as  
9 one of the named plaintiffs and class representatives, and in consideration for my general release  
10 of all claims against Humano. I believe that amount is fair and reasonable in view of the work I  
11 have and will continue to perform on behalf of the Class. I believe that my role in this lawsuit  
12 has resulted in a valuable benefit to the Class, and I accepted the potential risk of being liable  
13 for the opposing parties' costs if we were unsuccessful in this lawsuit. I believed in this case, so  
14 I was willing to be a named plaintiff to risk this and pursue this class action litigation. I also  
15 accepted the risk that news of this lawsuit could also potentially impact my ability to secure  
16 other work. At all times I believe I have acted in the best interests of the entire class.

17 11. Based on the time, service, risk, stress, potential stigma, loss of benefits and  
18 excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

19 I declare under penalty of perjury under the laws of the United States that the foregoing  
20 is true and correct. Executed on 6/25/2024, at Riverside, California.

21 DocuSigned by:  
22   
40B1909980C646A  
23 DORIS J. THURMAN  
24  
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