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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
MICHAEL EMMENS IN SUPPORT OF
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: December 20, 2024
Time: 10:30 a.m.
Dept.: 8

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1. I am an individual over the age of 18 and am one of the named plaintiffs in this matter. This declaration is submitted in support of approval of the proposed class action settlement (“Settlement”) reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

3. During my employment with Humano, I often did not receive a lunch break until after the end of my fifth hour and sometimes my lunch breaks were less than thirty minutes. I also was also not able to take a second lunch break when I worked more than 10.0 hours. I also was required to remain on Humano's premises during my rest breaks. I also was occasionally required to attend meetings prior to my shift starting, and I do not think I was paid for this time. I also received attendance bonuses and other payments during my employment with Humano. It is my understanding that Humano did not include these payments when calculating my overtime wages, resulting in me being underpaid my overtime wages. As a result of these violations, it is my understanding that I was not paid all final wages owed to me by Humano and was provided with inaccurate wage statements.

4. I have been actively involved in this case since I first retained Haines Law Group, APC (“HLG”) in 2021. Without waiving the attorney-client privilege, prior to filing this lawsuit, my attorneys explained my role and responsibilities as a Class Representative, and I understand my responsibilities as a Class Representative. Since retaining my attorneys, I have had many discussions with the attorneys and staff at HLG, including discussions regarding Humano’s wage and hour practices and my claims in this case, potential witnesses, litigation strategy, updates on how the case was proceeding, the Settlement, and how I could help the case and potential Class Members. I also gathered and reviewed documents for use in the lawsuit and reviewed relevant

1 documents with my attorneys. I also responded to formal discovery requests served by Humano.
2 I estimate that I have spent at least 50-55 hours on this case from the time I first spoke with my
3 attorneys regarding this case until the present.

4 5. When this lawsuit was filed, I understood that this lawsuit could benefit former
5 and current employees by helping to recover their unpaid wages, unpaid meal and rest period
6 premiums, and other penalties. I knew there was a risk that I could be liable for Humano's costs
7 if we lost the case. I accepted this risk because I wanted Humano to pay its current and former
8 employees for their unpaid wages and penalties. Even though I understood that filing a lawsuit is
9 a public record, I accepted that burden in order to help former, current, and future employees. As
10 far as I am aware, I have no actual or potential conflicts with any of the Class Members.

11 6. I understand that my attorneys will request that the Court approve a Class
12 Representative Enhancement Payment of \$10,000.00 for my efforts on behalf of the Settlement
13 Class. I believe this amount is reasonable based on the amount of time and effort I have devoted
14 to this case and the risks I have undertaken as a class representative. My support for the Settlement
15 is not contingent on me receiving this enhancement payment.

16 7. I do not have any personal or financial interest or affiliation with the proposed *cy*
17 *pres* recipient, Legal Aid At Work.

18 I declare under penalty of perjury under the laws of the State of California and the United
19 States that the foregoing is true and correct. Executed on 06/21/2024, 2024 in
20 Ontario, California.

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22 Michael Emmens (Jun 21, 2024 16:36 PDT)
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