

DIVERSITY LAW GROUP, P.C.
Larry W. Lee (State Bar No. 228175)
lwlee@diversitylaw.com
Simon L. Yang (State Bar No. 260286)
sly@diversitylaw.com
515 South Figueroa Street, Suite 1250
Los Angeles, California 90071
Telephone: (213) 488-6555
Facsimile: (213) 488-6554

D. LAW, INC.
Emil Davtyan (State Bar No. 299363)
emil@d.law
400 N. Brand Blvd., Suite 700
Glendale, California 91203
Telephone: (818) 875-2008
Facsimile: (818) 722-3974

Attorneys for Plaintiffs and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA

PATRICIA O’CONNOR and STEVEN
RODRIGUEZ, as individuals and on behalf of all
others similarly situated,

Plaintiffs,

vs.

WHOLE FOODS MARKET CALIFORNIA,
INC., a California corporation; and DOES 1
through 50, inclusive,

Defendants.

Case No. 22CV008620

[Hon. Evelio Grillo, Department 21]

**DECLARATION OF PATRICIA
O’CONNOR IN SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Date: January 5, 2024
Time: 9:00 a.m.
Department: 21

Reservation ID: 047642299369

Complaint Filed: March 18, 2022

1 I, Patricia O'Connor, declare as follows:

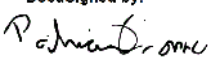
2 1. I am an individual over the age of 18. I am the named plaintiff in the above-reference
3 action. I have personal knowledge of the facts set forth below, except as to those matters stated on
4 information and belief and, as to those matters, I believe them to be true. If called as a witness, I could
5 testify competently as to the matters stated in this declaration.

6 2. In around August of 2018, I began working for Whole Foods Market California, Inc.
7 Until my employment ended in around November of 2021, I was employed as a prepared foods service
8 team member. As a non-exempt employee I was paid hourly wages and earned additional overnight
9 wages. When I was paid overnight wages, I am informed and believe that I was provided with wage
10 statements that failed to itemize all applicable hourly rates worked.

11 3. I have taken all necessary steps to represent the interests of the Class, including by
12 providing information and documents to my counsel, discussing the claims and lawsuit with my counsel,
13 and answering any questions that have come up, including about how I was paid or what my wage
14 statements show or meant. I understand that I am responsible to the Class with respect to trying the case,
15 appearing in court, and working with Class Counsel. I am willing to act as a fiduciary for the Class. I
16 remain willing to devote my time to this lawsuit for the benefit of the Class. I do not believe I have any
17 interests that are adverse to the interests of the Class. I also am unaware of any such issues having been
18 raised or presented by anyone else.

19 4. I believe many employees would not sue their employer out of fear. I took on risks by
20 bringing this lawsuit, and I understand that other people will benefit because of the actions that I have
21 taken. I feel that it is a positive accomplishment, am proud of the result, and believe that the class
22 settlement is fair, adequate, and reasonable.

23 I declare under penalty of perjury under the laws of the State of California that the foregoing is
24 true and correct. Executed this 16th day of November 2023, at Petaluma, California.

25 DocuSigned by:
26 
27 ED3E0B19D58C434... JT
28