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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

MICHELE LEWANA EVANS and MELODY
SPOUSE, individually, and on behalf of all
others similarly situated,

Plaintiff,

vs.

DOWNTOWN WOMEN'S CENTER, a
California corporation; and DOES 1 through 10,
inclusive,

Defendants

Case No.: 22STCV06578

[Assigned to Hon. Laura A. Seigle, Dept. 17]

CLASS ACTION

**DECLARATION OF MICHELE LEWANA
EVANS IN SUPPORT OF MOTIONS FOR
APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT**

Date: January 15, 2025
Time: 9:00 a.m.
Courtroom: Dept. 17
Judge: Hon. Laura A. Seigle

Complaint Filed: February 23, 2022
Trial: None Yet Set

DECLARATION OF MICHELE LEWANA EVANS

I, MICHELE LEWANA EVANS, declare as follows:

1. I am a named Plaintiff in this case. I am a former employee of the named defendant, DOWNTOWN WOMEN'S CENTER ("Defendant"). As such, I have personal knowledge of, or am informed and believe, the following facts herein stated. If called as a witness. I could and would testify competently to the following:

JOB DUTIES AND EXPERIENCES

2. I worked for Defendant during the Settlement Class Period. My employment began on or about March 2021 and ended on or about October 2021. I held a job position that is at issue in this case and included within the class: domestic violence rapid re-housing case manager.

3. My job duties included identifying safety plans for women, identify housing, doing safety assessments, and verifying homelessness.

4. Among other issues, I sometimes received late meal periods, I sometimes had my meal periods interrupted, I sometimes missed rest breaks, and I worked off-the-clock. I also used my vehicle and phone for work purposes but was not reimbursed for that use.

DUTIES OF A CLASS REPRESENTATIVE

5. This lawsuit is not an individual lawsuit. It is a proposed class action. I understand that, if approved as a class representative in this matter, I have an obligation to do my best to look out for the interests of other class members, the current and former employees of Defendant who I am seeking to represent. I understand that my obligations to the class exist even when the class is certified solely as part of a class action settlement. It is my understanding that, as one part of this duty to the class, I cannot agree to a settlement to benefit myself to the exclusion of the rest of the class members. I have never asked my attorneys to simply settle this matter at any cost. Rather, I have asked them to obtain the best settlement they could within reason, and I believe that they have attempted to do so.

6. This case was filed over two years ago. I have never asked to be relieved from my role as

1 a proposed class representative. To the contrary, I have made myself available whenever my attorneys
2 wanted to discuss aspects of my employment, and I remain committed to seeing this matter through to
3 the end.

4 7. I have conferred with my attorneys about the settlement proposed in this case. I am not
5 an accountant, but I understand the factors and risks that need to be considered when evaluating a
6 settlement.

7 8. Summing it all up in the simplest terms, I am asking to be stand-in for other
8 employees of Defendant. Because of that, I cannot quit on the Class, and I cannot put myself and my
9 interests before the Class. I accept these duties and request that I be approved as the class representative
10 for purposes of this amended Settlement.

11
12 COMMUNITY OF INTEREST: TYPICALITY AND ADEQUACY

13 9. I was an hourly non-exempt employee of Defendant and was subject to the same pay
14 structure and rules as all the other hourly non-exempt employees of Defendant.

15 10. I am not aware of anything special about me that would raise unique defenses to my
16 claims, as opposed to the claims of the class. I am also not suing for anything unique to me. Rather, my
17 claims are based upon the same facts that relate to the rest of the Class.

18 11. I do not believe that I have any conflicts with Class Members included in this proposed
19 Settlement. I do not have any intention to take any action that would place me in a position that is hostile
20 to other Class Members.

21
22 SERVICE AS A CLASS REPRESENTATIVE

23 12. I believe that were it not for my stepping forward and taking on the duties of protecting
24 the interests of other Defendant employees, it is likely that the interests of the class would neither have
25 been prosecuted, nor benefited. To my knowledge, other than the litigation encompassed by this
26 proposed Settlement, there is no other litigation, on a class or individual basis, concerning the claims in
27 this lawsuit. Nor has Defendant pointed to any.

28 13. I have assumed some long-lasting risk in prosecuting this case. Because it is so easy to

1 search for information online these days, I will face an increased risk that future employers will
2 discover information about this lawsuit online and have a negative reaction to learning that I sued an
3 employer. This may make it harder for me to obtain future employment or change jobs for a better
4 opportunity.

5 14. I have devoted a substantial amount of my time, both before this lawsuit was filed and
6 also during its litigation to ensure a fair result for the employee class. This involved ongoing
7 communications and participation with my counsel during the course of this case.

8 15. My participation began with bringing certain issues that are involved in this matter to
9 my counsel's attention, and explaining the factual background that was used to prosecute the claims in
10 this case.

11 16. For example, I reviewed documents which I already had, I provided relevant documents
12 to my counsel, and I explained those documents and related facts to my counsel to assist them in their
13 review. I also assisted in identifying potential witnesses, including other employees, who might
14 likewise have been of assistance.

15 17. My efforts continued after suit was filed. For example, I continued to identify
16 employees and other witnesses to counsel, along with other information as to how they could be of
17 potential use in this matter. I also discussed strategy with my counsel.

18 18. I was deposed in this matter and assisted my counsel with responses to written
19 discovery.

20 19. I talked with my attorneys many times while they prepared a motion for class
21 certification.

22 20. After a settlement was reached, a long-form settlement agreement was negotiated, and I
23 reviewed it with my attorneys as well as I was able to ensure that its terms are likewise fair and
24 adequate.

25 21. In sum, I believe I have provided well over 50 hours of my time during the course of
26 this litigation to ensure a good outcome for the best interests of the class.

27 22. I do not believe that I have any conflicts with Class Members included in this proposed
28 Settlement.

23. I have no relationship with the company Apex Class Action that was chosen as the proposed settlement administrator.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed on 5/17/2024, at Los Angeles, California.

DocuSigned by:

Michelle Lewana Evans

MICHELLE LEWANA EVANS, "Declarant"

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 725 S. Figueroa St., Suite 3100, Los Angeles, CA 90017.

On the date indicated below, I served the document described as: **DECLARATION OF MICHELE LEWANA EVANS IN SUPPORT OF MOTIONS FOR APPROVAL OF CLASS AND REPRESENTATIVE ACTION SETTLEMENT** on the interested parties in this action by sending ☐ the original [or] ☒ a true copy thereof ☒ to interested parties as follows [or] ☐ as stated on the attached service list:

Katherine Forster
katherine.forster@mto.com
Erica Tooch
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350 South Grand Avenue, Fiftieth Floor
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Attorneys for Defendant DOWNTOWN
WOMEN'S CENTER

☒ **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service CASEANYWHERE. I did not receive an error message.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this **December 20, 2024** at Los Angeles, California.

H. Scott Leviant
Type or Print Name


Signature