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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

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

ARMANDO FLORES, individually, on a  
representative basis, and on behalf of all  
others similarly situated;

Plaintiff,

vs.

SUNRISE RESPIRATORY CARE, INC., a  
California Corporation; and DOES 1 through  
20, inclusive;

Defendants.

Case No.: CIVSB 2127592  
*[Assigned to Hon. Judge Joseph Ortiz, Dept.  
S176, for all purposes]*

**DECLARATION OF PLAINTIFF  
ARMANDO FLORES IN SUPPORT OF  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Complaint filed: 9/27/2021  
FAC filed: 11/29/2021  
SAC filed: 01/19/2023

I, Armando Flores, state and declare:

1. I am a Plaintiff in the above captioned action and have personal knowledge of all matters stated herein and could competently testify thereto. I make this declaration in support of the motion for final approval of the class action settlement. I believe that the settlement is fair and reasonable and constitutes a fair resolution of the claims alleged.

2. During my employment with Defendant, I thought that there were issues with my pay as well as my meal periods and rest breaks. I started researching California law and contacted attorneys regarding issues with my lunches and how I was paid.

3. I then contacted my attorneys (Lauby, Mankin & Lauby LLP) and discussed these claims. As part of this discussion, I understood that I could either bring a class action to help all

1 of the employees, but I would have to put their interests ahead of my own, or I could bring my  
2 individual case and claims and attempt to maximize my individual recovery. This decision was  
3 very difficult because I wanted to help everyone else that was wronged by the company, but I  
4 also wanted maximize my individual recovery. I was also concerned that, if I brought this as a  
5 class action, I might get labeled as a whistleblower, which might make it hard to find a job in  
6 medical equipment field in the future. I eventually decided that – despite the risks – it was  
7 important to bring these claims as a class action to hold the company accountable for how they  
8 treated their employees.

9 4. I respectfully request that the Court approve the agreed-upon service award for  
10 the following reasons.

11 5. First, I have spent at least 45 hours engaged in activities to benefit the class. I  
12 have been an active participant in this litigation, including assisting my attorneys in various ways  
13 and making myself available when needed. For example, I have assisted my attorneys by  
14 compiling and analyzing substantial documentation regarding claims. I also helped to explain  
15 and discuss the company’s practices and their general practices and procedures, locating and  
16 analyzing company documents, among others. I also spoke to other employees and discussed the  
17 issues and claims of the current lawsuit. I also assisted in settlement discussions, helped obtain a  
18 highly favorable result for the class, and reviewed all settlement documents and believe that this  
19 settlement is fair for the class.

20 6. Second, I respectfully request that the Court approve the agreed-upon service  
21 award because I agreed to set aside my personal interests and to put the interests of the class  
22 ahead or on par with my own. In fact, as a condition of this class action settlement, I was  
23 required to compromise on and waive all possible individual claims against the company.  
24 However, to finalize this settlement, I put the interests of the class ahead of my own and agreed  
25 to waive all of my claims against the company.

26 7. Third, by bringing this case as a class action, I undertook significant risks and  
27 stresses at a high emotional cost without any guarantee of success. For example, filing this  
28 lawsuit and being a whistle blower was stressful on a day-to-day basis as I have constantly

1 worried about the risk that this case could impact my ability to find future jobs. This stress/risk  
2 lasted for the entire case, and I'm worried it will continue to make it hard to find a job in the  
3 future since the case information is all available online. I ended up getting a job in a new field in  
4 order to avoid the medical equipment field as I feel as though I may be blacklisted from that  
5 arena now as a result.

6 8. Fourth, and finally, bringing this case also came with a major financial risk  
7 because, if I lost the case, I would be required to pay the company's costs, and there was a  
8 chance they could try to make me pay their attorneys' fees as well.

9 9. Therefore, I respectfully request that the Court award the service award since that  
10 amount is justified based on the substantial time I spent on this case, as well as the risks and  
11 stresses I faced and will continue to face to secure this class action settlement to benefit the other  
12 employees.

13 I declare under penalty of perjury under the laws of the State of California that the  
14 foregoing is true and correct. Executed on May 4, 2023, at Riverside, California.

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16 By:   
Armando Adam Flores (May 4, 2023 17:37 PDT)  
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