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Attorneys for Plaintiffs, 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.
S17, for all purposes]*

**DECLARATION OF PLAINTIFF
WILLIAM STOREY 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, William Storey, 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. I was a lead driver / technician with Defendant out of the San Diego location since the founding of the company until my employment ended. Throughout my employment with Defendant, I had issues with how I got paid, the lack of breaks, and how I was treated. As a result, I contacted attorneys regarding these issues.

3. I then contacted my attorneys (Lauby, Mankin & Lauby LLP) and was informed

1 of an ongoing class action lawsuit. I could have either initiated a separate lawsuit or joint the
2 pending class action case. This decision was difficult as I was also concerned that, if I brought
3 this action, I might have a difficult time finding other jobs in the future, especially in the same
4 field. But in the end, I decided to join the ongoing lawsuit as it was important to hold the
5 company accountable for how they treated their employees and help fix these problems moving
6 forward.

7 4. By bringing this case as a class action, I undertook significant risks and stresses at
8 a high emotional cost without any guarantee of success. For example, by joining this lawsuit, I
9 was concerned as being labeled as a whistle blower. I was stressed and have constantly worried
10 about the risk that this case could impact my ability to find future jobs since the case information
11 is all available online.

12 5. I also respectfully request that the Court approve the agreed-upon service award
13 because I agreed to set aside my personal interests and to put the interests of the class ahead of
14 my own personal claims. In fact, as a condition of this class action settlement, I was required to
15 compromise on and waive all possible individual claims against the company. This was a
16 difficult decision because I believe that I had strong individual claims and intended to look into
17 bringing those claims. But I put the interests of the class ahead of my own and agreed to waive
18 all of my claims against the company.

19 6. I have spent at least 40 hours engaged in activities to benefit the class. I have been
20 an active participant in this litigation, including assisting my attorneys in various ways and
21 making myself available when needed. For example, I have assisted my attorneys by explaining
22 and discussing the company's practices and their general practices and procedures, but
23 specifically providing details about the on-call issues and the policies related to Defendant's San
24 Diego location, locating and analyzing documents, among others. I also assisted in settlement
25 discussions, helped obtain a highly favorable result for the class, and reviewed all settlement
26 documents and believe that this settlement is fair for the class.

27 7. Lastly, by becoming a plaintiff in this case came with a major financial risk
28 because, if I lost the case, I would be required to pay the company's costs, and there was a

1 chance they could try to make me pay their attorneys' fees as well.

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

6 I declare under penalty of perjury under the laws of the State of California that the
7 foregoing is true and correct. Executed on May 2, 2023, at Oceanside, California.

8
9 By:  May 2, 2023 13:34 PDT
10 William Storey