

Justin F. Marquez (SBN 262417)
justin@wilshirelawfirm.com
Christina M. Le (SBN 237697)
cle@wilshirelawfirm.com
Zachary D. Greenberg (SBN 331501)
zgreenberg@wilshirelawfirm.com
WILSHIRE LAW FIRM
3055 Wilshire Blvd., 12th Floor
Los Angeles, California 90010
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

AUXAVIAIR CARTER, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

MEDLAB2020, INC., a California corporation,
and DOES 1 through 10, inclusive,

Defendants.

Case No.: 30-2022-01247444-CU-OE-CXC

CLASS ACTION

*[Assigned for all purposes to Judge Lon F.
Hurwitz, Dept. CX-103]*

**DECLARATION OF AUXAVIAIR
CARTER IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

*[Filed concurrently with: Plaintiff's Notice of
Motion and Motion for Preliminary Approval
of Class Action Settlement, Memorandum of
Points and Authorities; Declaration of Justin
F. Marquez in Support of Motion; and
[Proposed] Order Granting Motion.]*

PRELIMINARY APPROVAL HEARING

Date: May 12, 2023

Time: 1:30 p.m.

Dept: CX-103

Complaint filed: February 28, 2022
FAC Filed: May 10, 2022

1 action matter. I understood the risks, both professionally and financially, associated with pursuing
2 a class action case and acting as the Class Representative. I further understood that pursuing the
3 case as a class action, rather than individually, meant that it would take substantially longer as a
4 result of the multi-step approval process as mandated by the California Courts. Although I was
5 made aware that there was a possibility that I could receive nothing at the end, I believed that it
6 was important to ensure that Medlab2020 followed the law with respect to all of its hourly-paid,
7 non-exempt employees. Additionally, I understood that it was my responsibility to act in the best
8 interests of the Class and not just myself. In that respect, I understood my duties and
9 responsibilities to the proposed Class and carried out and will continue to carry out those duties as
10 necessary.

11 6. Throughout the course of the litigation, I maintained constant communication with
12 my attorneys and discussed pertinent matters relevant to the lawsuit. I asked questions when I
13 wanted to know what was being done to advance the interests of the Class or simply wanted an
14 update regarding the case. I understood that a recovery would not only benefit me but would
15 benefit my fellow coworkers as well. At all times, I made myself available to answer any questions
16 that my attorneys had about my employment. This was especially true leading up to and during
17 the mediation that took place on November 4, 2022. In preparation for the mediation, I had
18 extensive conversations with my attorneys regarding the nuanced issues that we were going to
19 advance during the negotiation process with the mediator. During the mediation session, I was
20 available to speak with my attorneys, answer any questions that arose, and provide any additional
21 documentation that was necessary to assist the settlement discussions.

22 7. On or about January 4, 2023, I reviewed the Stipulation of Class and PAGA Action
23 Settlement and Release (“Settlement Agreement”) in full and discussed all the terms with my
24 attorneys. My attorneys answered all the questions I had regarding the Settlement Agreement. I
25 believe the settlement terms and allocations are fair, adequate, and reasonable given the strength
26 of the class claims and Medlab2020’s defenses. That same day, I signed the Settlement Agreement.

27 8. I estimate that I spent approximately 30 hours searching for and collecting
28 documents related to my employment, speaking with my attorneys throughout the litigation,

1 helping my attorneys prepare for mediation, discussing the particulars and reasonableness of the
2 settlement, and reviewing/signing documents related to the settlement.

3 9. I do not have any interest, financial or otherwise in the third-party administrator,
4 ILYM Group, Inc., or the *cy pres* recipient, Legal Aid at Work.

5 I declare under penalty of perjury, under the laws of the State of California and the United
6 States of America, that the foregoing is true and correct.

7 Executed on 4/19/2023 at Fullerton, California.

8 DocuSigned by:

9 *Auxaviair Carter*

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Auxaviair Carter

PROOF OF SERVICE

Auxaviair Carter v. Medlab2020, Inc., et al.
30-2022-01247444-CU-OE-CXC

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Sandy S. Sespene, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is ssespene@wilshirelawfirm.com.

On **April 20, 2023**, I served the foregoing **DECLARATION OF AUXAVIAIR CARTER IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

R. Jeremy Adamson (251380)
jadamson@kba.law
Chad S. Pehrson (261829)
cpehrson@kba.law
Andrea Coats
acoats@kba.law
KUNZLER BEAN & ADAMSON
4225 Executive Square, Suite 600
La Jolla, California 92037
Telephone: (619) 365-9110
Facsimile: (801) 758-7436

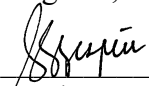
Attorneys for Defendant

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

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

Executed on April 20, 2023, at Los Angeles, California.



Sandy S. Sespene