

Edwin Aiwazian (SBN 232943)
Joanna Ghosh (SBN 272479)
Matthew Richard Soto (SBN 353499)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

LATISHA ANQUNETTE JOHNSON,
individually, and on behalf of other
members of the general public similarly
situated and on behalf of other aggrieved
employees pursuant to the California
Private Attorneys General Act;

Plaintiff

vs.

AMERICARE HEALTH &
RETIREMENT INC., a California
corporation; SILVERGATE
FALLBROOK, an unknown business
entity; AMERICARE HEALTHCARE &
RETIREMENT, INC., an unknown
business entity; SILVERGATE SAN
MARCOS, an unknown business entity;
SILVERGATE RETIREMENT
RESIDENCE & MEMORY CARE
SUITES, an unknown business entity; and
DOES 1 through 100, inclusive,

Defendants.

Case No.: 37-2022-00051286-CU-OE-CTL

Honorable Joel R. Wohlfeil
Department C-73

CLASS ACTION

**DECLARATION OF LATISHA JOHNSON
IN SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND MOTION
FOR ATTORNEYS' FEES, COSTS, AND
SERVICE AWARD**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement; Motion
for Attorneys' Fees, Costs, and Service Award;
Declaration of Class Counsel (Edwin Aiwazian);
Declaration of Settlement Administrator
(Jennifer Beliveau); and [Proposed] Order
Granting Final Approval of Class Action
Settlement and Judgment; and [Proposed] Order
Awarding Attorneys' Fees, Costs, and Service
Award filed concurrently herewith]

Date: July 12, 2024
Time: 9:00 a.m.
Department: C-73

Complaint Filed: December 22, 2022
Trial Date: None Set

DECLARATION OF LATISHA JOHNSON

I, **Latisha Johnson**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Americare Health & Retirement Inc., (“Defendant”) from approximately October 2016 to approximately May 2018 as an hourly-paid, non-exempt employee. I decided to seek legal advice about my work experiences with Defendant and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Defendant was held accountable for not properly compensating its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour and class action lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 6 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for 5 hours discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act (“PAGA”) in general, and what it meant to be a named plaintiff, class representative, and, eventually, a PAGA representative.

3. I have spent over 15 hours meeting with my attorneys regarding the case and fulfilling my responsibilities as a class and PAGA representative, which included gathering documents concerning my employment with Defendant, reviewing documents with my attorneys, answering questions, providing guidance regarding the duties of other hourly-paid or non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Defendant. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained.

4. As the case progressed, I was available to answer any questions my attorneys had and was available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information and identified as many documents as I could. I spent at least 12 additional hours speaking with my attorneys about the

1 case, identifying potential witnesses, providing my attorneys with documents and information
2 concerning the case, and also describing policies, practices, and procedures of Defendant. During
3 the discovery phase of the litigation, I spent approximately 5 additional hours reviewing
4 Defendant's discovery requests, locating documents, and providing documents and responses to
5 my attorneys.

6 5. As far as the settlement is concerned, I was available to review documents and
7 answer any questions my attorneys had. I spent about 5 hours reviewing the settlement
8 agreement and about 5 hours asking questions and discussing the potential settlement with my
9 attorneys before signing the settlement agreement.

10 6. I believe that I have done everything that my attorneys have asked of me and have
11 tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees
12 and the State of California. I think my efforts helped to get the result obtained in this case, and as
13 a class and PAGA representative, I respectfully request that the Court award me a service award
14 in the amount of \$7,500.00 for my active participation in this case. Taking into consideration the
15 time that I have dedicated to this case, I believe that this amount is reasonable.

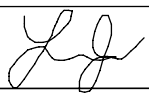
16 7. I am not related to anyone associated with Lawyers *for* Justice, PC.

17 8. I have not entered into any undisclosed agreements, nor have I received any
18 undisclosed compensation in this case. The only compensation I will receive is whatever amount
19 the Court awards as a service award, as well as my share of the settlement as a class member and
20 as an aggrieved employee.

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

23 06/14/2024

24 Executed this ____ day of June 2024, at Riverside, California

25 Electronically Signed  2024.06.14 22:48:47 UTC - 97.190.129.163
26 nitex AssureSign® 1d138706-17e1-424c-9774-b19801774b45

27 Latisha Johnson