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

CAPRICE JUSTICE WILLIAMS, on behalf of
the State of California and other aggrieved
persons,

Plaintiffs,

v.

TOTAL LONGTERM CARE, INC., a
corporation; INNOVAGE CALIFORNIA PACE-
INLAND EMPIRE, LLC, a limited liability
company; and DOES 1 through 10, inclusive,

Defendants.

Case No. CIVSB2213347

CLASS ACTION

[Assigned for all purposes to: Hon. Jessica
Morgan, Dept. S-26]

**DECLARATION OF CAPRICE JUSTICE
WILLIAMS IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

PRELIMINARY APPROVAL HEARING

Date: December 6, 2023

Time: 8:30 a.m.

Dept: S-26

DECLARATION OF CAPRICE JUSTICE WILLIAMS

I, Caprice Monique Justice, declare as follows:

1. I have personal knowledge of the facts set forth in this declaration and could and would competently testify to them under oath if called as a witness.

2. When I filed this case, my legal name was Caprice Justice Williams, but I have since changed my legal name to my maiden name of Caprice Monique Justice.

3. I am the named Plaintiff in this action and submit this declaration in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement. Because I believe I have provided invaluable assistance during the course of this case and achieved a great result in this settlement, I am hopeful that the Court will approve my request of a \$12,500 service payment for my role as the Class Representative.

4. I am a former employee of Total Longterm Care, Inc ("Defendant" or "TLC"). I worked at TLC from approximately April 2021 to approximately November 2021 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to TLC's policies and practices that have been alleged as unlawful in the complaint.

5. I filed this lawsuit because I was concerned that I was not paid properly for all the hours that I worked, I was not provided all of my meal and rest breaks, and I was not reimbursed for all business expenses. I also believe that other workers and myself were not treated fairly by TLC when we worked there. While working at TLC, my coworkers and I were asked to work long hours because of the amount of work, sometimes without taking meal and rest breaks and without receiving compensation for all hours worked. Furthermore, my co-workers and I were not reimbursed for all of our business expenses.

6. By originating this lawsuit, I hoped that I might be able to change TLC's policies to better protect the working conditions of my co-workers. I also understood it was my duty as the Class Representative to represent the best interests of the class, know about the lawsuit, help my attorneys, and keep updated on the case.

7. Prior to commencing this case, I provided Wilshire Law Firm with a detailed account of the facts related to my employment with TLC. Additionally, I provided my counsel

1 with documentation in the form of pay statements that applied to my employment with TLC.
2 Based on my conversations, my attorneys and I were able to identify instances when I was not
3 paid correctly. I was notified by my attorneys that the information I provided contributed to
4 bringing this case to an early resolution and that prolonged litigation carries an inherent risk that
5 some or all of the claims may not be certified, which would have greatly diminished the recovery
6 that the class members received.

7 8. I have invested a lot of personal time and energy while this lawsuit has been
8 pending. I made it a priority to be actively involved because I wanted to do everything I can to
9 assist my attorneys in prosecuting this case.

10 9. I estimate that I spent **at least 80 hours on this case** since I first contacted
11 Wilshire Law Firm. Since then, I regularly communicated with my attorneys and their staff
12 including before and after the mediation to ensure my attorneys' questions would be promptly
13 answered. I spent multiple hours looking for and reviewing documents related to the case.
14 Additionally, I spoke with numerous other class members about this case and about their
15 experience working at TLC after my employment with TLC ended. I also discussed the facts of
16 the case with my attorneys at length in preparation for mediation and made myself available
17 during the mediation. I was significantly involved in the settlement process, where I
18 communicated with my lawyers on a regular basis to go over the terms to make sure they were
19 fair and reasonable. I was told that these discussions greatly contributed to the excellent result
20 achieved of approximately \$26 per work week for the class members in this case.

21 10. I believe the settlement is fair, adequate, and reasonable, and I would
22 recommend that the Court approve. I am glad that I had the opportunity to represent the class in
23 this lawsuit and that we were able to achieve such an excellent result for the class. I have also
24 observed my attorneys' work throughout this case and I believe they have been thorough,
25 diligent, prompt, courteous, and professional.

26 11. I did not make the decision to file a class action lightly. I was concerned that
27 future employers might find out that I filed this case, which could hurt my employability. In a
28 competitive job market, this factor may weigh heavily against me.

1 12. I respectfully request that the Court award me a \$12,500 service payment. I am
2 receiving no additional compensation other than the compensation provided for in the settlement.
3 Based on my involvement in this case and the benefits provided to my former co-workers, I can
4 say I helped represent the other workers and took the risks instead of my former coworkers.

5 13. In addition the class release, I am also agreeing to a general release against TLC
6 that is broader than the release for other class members. Part of the enhancement award covers
7 this general release.

8 14. Although I fear that employers may find out that I participated in this lawsuit and
9 hold it against me, I felt that important rights were at stake that hurt myself and other employees.

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

12 Executed on 11/8/2023 at Fontana, California.

DocuSigned by:



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Caprice Monique Justice

PROOF OF SERVICE

Caprice Justice Williams, et al. v. Total Longterm Care, Inc, et al.
CIVSB2213347

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 **November 13, 2023**, I served the foregoing **DECLARATION OF CAPRICE JUSTICE WILLIAMS 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:

Adam Y. Siegel
Adam.Siegel@jacksonlewis.com
Ikedi O. Onyemaobim
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Tel: (213) 689-0404
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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 November 13, 2023, at Los Angeles, California.



Sandy S. Sespene