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Attorneys for Plaintiffs Joanne Rodelle Lawhorn,
and Joseph Ortegon, on behalf of themselves and
all others similarly situated

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

ERIK HUFFMAN, NAJUAH
MUDAHY, INA ROSSON, JOANNE
RODELLE LAWHORN and MANUAL
JOSEPH ORTEGON, individuals, on
behalf of themselves and on behalf of all
persons similarly situated and on behalf
of the State of California, as private
attorney general,

Plaintiffs,

vs.

CENTENE MANAGEMENT
COMPANY LLC, a Limited Liability
Company; HEALTH NET, LLC, a
Limited Liability Company and DOES 1
through 50, inclusive,

Defendants.

Case No. 34-2022-00322629

[Assigned for all purposes to the Hon. Lauri A.
Damrell - Dept. 22]

DECLARATION OF LANCE DACRE

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I, Lance Dacre, declare as follows:

1. I am an individual over the age of 18. I am an attorney at the law firm of James Hawkins, APLC. I am one of the attorneys of record for Plaintiffs Joanne Rodelle Lawhorn and Manuel Joseph Ortega (hereinafter referred to as “Plaintiffs” or “Class Representatives”), in the above captioned matter. I submit this declaration in support of approval of the Class Action and PAGA Settlement (“Settlement” or “Settlement Agreement”). I have personal knowledge of the facts set forth below, and if called to testify regarding them, I could and would do so competently.

2. February 3, 2023, Plaintiffs gave notice to the LWDA and Centene Management Company, LLC of their intention to bring PAGA claims against Defendant Centene Management Company, LLC (See Exhibit 1, attached hereto and included by reference).

3. On February 8, 2023, Plaintiff Lawhorn filed a wage and hour class action against Defendant Centene Management Company, LLC in Sacramento County Superior Court (Case No. 34-2023-00334211) (“Lawhorn Class Action”) The complaint alleged (1) failure to pay lawful wages; (2) failure to provide lawful meal periods or compensation in lieu thereof; (3) failure to pay employee expenses; (4) failure to timely pay wages during employment; (5) failure to timely pay wages at termination; (6) failure to provide accurate, itemized, wage statements; and (7) violations of the unfair competition law. This complaint was amended on April 11, 2023, to add a claim under Labor Code section 2698 et sec, the Private Attorney General Act (“PAGA”).

4. Through the exchange of informal discovery, Defendant produced documentation, including, but not limited to, employment records, policies, time and wage records, employment and operations practices, and procedures documents, as well as time and pay data for a sample of Class Members during the Class Period, and other detailed information relevant to the claims in the Action. The Parties' attorneys also engaged in extensive discussions about the strengths and weaknesses of the claims and defenses in the Action.

5. On April 30, 2024, the Parties in this matter attended an all-day global mediation

session with experienced and well-regarded mediator Francis “Tripper” Ortman. The mediation ended with the settlement of the following five cases: *Huffman v. Centene, et al.* (Sacramento Superior Case Nos. 34-2022-00322629 [Class] and 34-2022-00322624 [PAGA]); *Mudahy v. Centene, et al.* ([Class] U.S. District Court, Central District of California, Case No. CV 23-0055-GW-PDx); *Mudahy v. Centene, et. al.*, ([PAGA] Los Angeles Superior Case No. 23STCV02394); *Lawhorn v. Centene*, instant case filed February 8, 2023, in Sacramento County Superior Court; and *Rosson v. Centene, et al.*, (Sacramento Superior Case Nos. 23CV001316) [Class] and 23CV007995 [PAGA]).

6. On August 1, 2024, a First Amended Complaint was filed adding all parties and claims from the above actions into the *Huffman* action.

7. In analyzing the settlement, the Parties took into consideration the potential liability in this matter based on documents and information produced by Defendant in discovery and in preparation for mediation, analysis of timekeeping records and payroll data, and the nature of the claims and Defendant's defenses thereto. The Parties also considered the significant risks that class certification could be denied on the central claim and/or that a merits decision on the central claim would not favor the Class. The Parties also considered the expense and length of continued proceedings necessary to continue the Action against Defendant through trial and any possible appeals. The Parties are aware of the burdens of proof necessary to establish liability for the claims asserted in the Action, Defendant's defenses thereto, and the difficulties in establishing the alleged damages.

8. Based on their own respective independent investigations and evaluations and after taking into account the sharply disputed factual and legal issues involved in this matter, the risks attending further prosecution in light of certification issues faced due to the *Brinker Rest. Corp. v. Super. Ct.*, (2012) 53 Cal. 4th 1004 (“*Brinker*”) decision, the informal discovery and investigation conducted, and the benefits received under the settlement, the Class Representatives and their counsel are of the opinion that settlement for the monetary consideration and on the terms set forth in the Settlement Agreement is fair, reasonable and adequate and is in the best interests of

1 the Class Representatives and Class Members.

2 9. Over the past twenty plus years, attorneys at James Hawkins APLC have
3 represented, mediated, and settled many other class actions filed by employees alleging wage and
4 hour violations and have knowledge of the strengths and weaknesses of the claims pled and
5 defenses available in this case and the benefits of the proposed Settlement under the
6 circumstances of the case.

7 10. The Settlement Agreement provides for an award to be paid to the Class
8 Representatives. The primary purpose is to provide Plaintiffs an incentive/enhancement award,
9 taking into consideration the risks, time, effort and expenses incurred by them in coming forward
10 to provide invaluable information and litigate this matter on behalf of all Class Members and
11 Aggrieved Employees. Plaintiffs have actively participated in this litigation by providing
12 significant supporting documents and information and assisting counsel in developing
13 information necessary to litigate, mediate, and settle this case which has resulted in a favorable
14 settlement for the putative Class Members and Aggrieved Employees. As well as for the
15 Plaintiffs/Class Representatives providing a much broader claim release than the other Class
16 Members, including a Civil Code section 1542 release. Thus, the payment of up to \$10,000.00 to
17 each Class Representative represents a small portion of the aggregate settlement amount and
18 should be awarded.

19 11. James Hawkins APLC has a great deal of experience in wage and hour class action
20 litigation. The law firm and its lawyers have obtained certification of multiple classes, have been
21 approved as class counsel in many other wage/hour class actions, and are currently litigating
22 numerous others as lead or co-lead counsel. The law firm works hard at effectively representing
23 their clients and maintaining the respect of other practitioners of law. Although not an all
24 inclusive list, over the years the law firm has prosecuted the following class action matters as lead
25 and/or co-lead counsel, all of which implicated similar law and facts to those associated with this
26 action:

27 a. *Aguilar v. 7-Eleven, Inc., et. al.*, Orange County Superior Court- Case No.: 30-

1 2009-00268714-CU-OE-CXC. Certified Wage and Hour Class action seeking premium wages for
2 meal period and rest periods and resultant penalties. Class Notice pending.

3 b. *Carey, et. al. v. Arthur J. Gallagher, et. al.*, USDC, SOUTHERN DISTRICT Case
4 No.: 09-cv-0168. Wage and Hour Class action seeking past wages of overtime for
5 misclassification of insurance claims adjusters employed by Gallagher Bassett, a third party
6 administrator (TPA) in the State of California. Certification granted. Plaintiffs' counsel co-lead
7 counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

8 c. *Dao v. 3M Company, et al.* USDC, CENTRAL DISTRICT, Case No. CV-08-
9 04554. Wage and Hour Class Action case seeking past wages for "off the clock", overtime and
10 meal and rest break violations for production workers in the State of California. Plaintiff's
11 Counsel appointed as Lead Counsel. Case settled, Final Approval granted, no objections and
12 funds fully distributed.

13 d. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW.
14 Wage and Hour Class Action case seeking past wages for meal and rest period violations for
15 retail employees in the State of California. Plaintiff's counsel appointed co-lead counsel. Case
16 settled, Final Approval granted, no objections and funds fully distributed.

17 e. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.
18 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal and rest period
19 violations for retail employees in the State of California. Plaintiff's Counsel appointed as Lead
20 Counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

21 f. *West v Iron Mountain Information Management, Inc, et. al.*; Los Angeles County
22 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past wages for
23 overtime, meal and rest break violations for driver employees in the State of California.
24 Settlement for "binding arbitration." Arbitration Award for Plaintiff Class. Arbitration Award
25 confirmed. Plaintiff's counsel, lead trial counsel and class counsel.

26 g. *Gonzalez v. Superior Industries Inter, Inc., et al.*, Los Angeles County Superior
27 Court, Case No. BC 357912. Wage and Hour Class Action seeking past wages for overtime, meal
28

1 and rest breaks violations for production employees in the State of California. Plaintiff's counsel
2 appointed as lead counsel. Case settled, Final Approval granted, no objections and funds fully
3 distributed.

4 h. *Acosta v. Fleetwood Travel Trailers of California, Inc., et al.*, Riverside County
5 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past wages for
6 overtime, meal and rest break violations for production employees in the State of California.
7 Plaintiff's counsel appointed as co-lead counsel. Case settled, Final Approval granted, no
8 objections and funds fully distributed.

9 i. *Walker v. Sharkeez, et al.*, Orange County Superior Court, Case No. 05CC00293.
10 Wage and Hour Class Action seeking past wages for unlawful deductions, meal and rest break
11 violations for restaurant employees in the State of California. Plaintiff's counsel appointed as lead
12 counsel. Case settled, Final Approval granted and funds fully distributed.

13 j. *Padron v. Universal Protection Service, et al*, Orange County Superior Court,
14 Case No. 05CC00013. Wage and Hour Class Action seeking past wages for overtime, meal and
15 rest break violations for security officers in the State of California. Plaintiff's counsel appointed
16 as co-lead counsel. Case settled, Final Approval granted, no objections and funds fully
17 distributed.

18 k. *Martinez v. Securitas Security Services USA, et al.*, Santa Clara Superior Court,
19 Case No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action seeking past
20 wages for meal and rest break violations for security officers employed by defendant in the State
21 of California. Plaintiff's counsel and co-counsel. Case settled, Final Approval granted and funds
22 fully distributed.

23 l. *Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al.*, Riverside Superior Court,
24 Case No. RIC 420909. Wage and Hour Class Action seeking past wages for overtime, meal and
25 rest break violations for housekeepers employed by defendant in the State of California.
26 Plaintiff's counsel appointed as lead counsel. Case settled, Final Approval granted, no objections
27 and funds fully distributed.

1 m. *Ruiz, et al. v. Unisource Worldwide, Inc., et al.*, USDC, CENTRAL DISTRICT,
2 Case No. CV09-05848. Wage and Hour Class Action seeking past wages for meal and rest period
3 violations for non-exempt employees employed by defendant in the state of California. Case
4 settled. Awaiting Preliminary Approval hearing. Plaintiff has petitioned the Court for Lead
5 Counsel.

6 n. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL
7 DISTRICT, Case No. SACV 08-680. Wage and Hour Class Action seeking past wages for field
8 and branch employees of defendant in the State of California. Plaintiff's counsel appointed as
9 lead counsel. Case settled and awaiting Final Approval.

10 o. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case No.
11 05CC00128. Wage and Hour Class Action seeking past wages for restaurant employees of
12 defendant in the State of California. Plaintiff's counsel appointed as lead counsel. Case settled,
13 Final Approval granted, no objections and funds fully distributed.

14 p. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case No.
15 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest break
16 violations for security guards employed by defendant in the State of California. Plaintiff's counsel
17 appointed as lead counsel. Case settled, Final Approval granted, no objections and funds fully
18 distributed.

19 q. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles Superior
20 Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal and rest break
21 violations for production employees employed by defendant in the State of California. Plaintiff
22 counsel appointed as lead counsel. Case settled, Final Approval granted, no objections and funds
23 fully distributed.

24 r. *McMurray v. Dave and Busters, Inc., et al.*, Orange County Superior Court, Case
25 No. 06CC00099. Wage and Hour Class Action seeking past wages for meal and rest break
26 violations for restaurant employees employed by defendant in the State of California. Plaintiff's
27 counsel appointed as co-lead counsel. Case settled, Final Approval granted, no objections and
28

1 funds fully distributed.

2 s. *Osuna v. DFG Restaurants, Inc., et al.*, Los Angeles Superior Court, Case No. BC
3 330145. Wage and Hour Class Action seeking past wages of overtime for misclassification of
4 managers employed by Defendant, DBA Carl's Jrs. in the State of California. Plaintiff's counsel
5 appointed as co-lead counsel. Case settled, Final Approval granted, no objections and funds fully
6 distributed.

7 t. *Burns v. Gymboree Operations, Inc., et al.*, San Francisco Superior Court, Case
8 No. CGC-07-461612. Wage and Hour Class Action seeking past wages for meal and rest break
9 violations for retail employees employed by defendant in the State of California. Plaintiff's
10 counsel appointed lead counsel. Case settled, Final Approval granted, no objections and funds
11 fully distributed.

12 u. *Willems v. Diedrich Coffee, Inc., et al.*, Orange County Superior Court, Case No.
13 07CC00015. Wage and Hour Class Action seeking past wages of overtime for misclassification
14 of managers employed by Defendant in the State of California. Plaintiff's counsel appointed lead
15 counsel. Case settled, Final Approval granted, no objections and funds fully distributed.

16 v. *Davila, et al. v. Beckman Coulter, Inc., et al.*, Orange County Superior Court, Case
17 No. 07CC01347. Wage and Hour Class Action seeking past wages for overtime, meal and rest
18 break violations for production workers employed by defendant in the State of California.
19 Plaintiff's counsel appointed lead counsel. Case settled; final approval granted; no objections
20 and funds fully distributed.

21 w. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior Court,
22 Case No. BC387088. Wage and Hour Class Action seeking past wages for overtime, meal and
23 rest period violations for production employees employed by defendant in the State of California.
24 Plaintiff counsel appointed as lead counsel. Case settled, Final Approval granted, no objections
25 and funds fully distributed.

26 12. I have been practicing law in California since 1997 and joined the James Hawkins,
27 APLC law firm in February 2022, and now exclusively litigate plaintiff-related wage and hour

1 class action cases. I have been involved in litigating, mediating and settling numerous wage and
2 hour class actions dealing with class sizes ranging from several hundred to several thousand class
3 members in both State and Federal courts.

4 13. Isandra Fernandez, my co-counsel on this matter, has been a member of the
5 Florida Bar since January 1996 and a member of the California Bar since August 2002. Ms.
6 Fernandez has specialized in employment-related litigation, including complex wage and hour
7 civil litigation, since 2003.

8 14. Neither the law firm of James Hawkins APLC, nor any of the attorneys working at
9 the firm have any interest contrary to the Class and have vigorously prosecuted this action on
10 behalf of the Class. Additionally, neither the law firm of James Hawkins APLC, nor any of the
11 attorneys working at the firm have any interest in, nor receive any benefit from, the California
12 Controller's Unclaimed Property Fund.

13
14 I declare under penalty of perjury, under the laws of the state of California, that the
foregoing is true and correct.

15
16 Dated: February 14, 2025


Lance Dacre, Esq.

Exhibit 1

JAMES *JH* HAWKINS
A PROFESSIONAL LAW CORPORATION

9880 RESEARCH DRIVE, SUITE 200, IRVINE, CALIFORNIA 92618
TELEPHONE (949) 387-7200; FACSIMILE (949) 387-6676

February 3, 2023

Via Online Filing (LWDA)

California Labor and Workforce Development Agency
Attn: PAGA Administrator
1515 Clay Street, Ste. 801
Oakland, CA 94612
<http://www.dir.ca.gov/Private-Attorneys-General-Act>

Via Certified Mail (Employer)

Centene Management Corporation, LLC
c/o Agent of Service
Amanda Garcia
330 N Brand Blvd.
Glendale, CA 91203
Receipt No.: 7021 1970 0000 9061 3844

Re: NOTICE PURSUANT TO LABOR CODE SECTIONS 2699 *et seq.*

To Whom It May Concern:

PLEASE TAKE NOTICE that plaintiff Joanna Rodelle Lawhorn on behalf of herself and all others similarly situated gives NOTICE to file and/or amend a civil action pursuant to Labor Code Sections 2699, *et seq.* Plaintiff hereby gives written notice by certified mail to the Labor and Workforce Development Agency ("LWDA"), **Centene Management Company, LLC** Plaintiff hereby attaches the proposed PAGA Complaint as though fully set forth herewith, setting out the specific provisions of the Labor Code plaintiffs allege have been violated including the facts and her theories. All labor provisions alleged violated in the complaint PERTAIN TO ALL ENTITIES AND INDIVIDUALS NAMED IN THE COMPLAINT, even if not specifically specified.

Please advise by certified mail within sixty (60) days of the post mark on this letter if the LWDA intends to investigate these claims. Thank you.

If you have any questions, please do not hesitate to contact me.

Very Truly Yours,

/s/ Anthony Draper

Anthony L. Draper

Enclosures: Complaint



State of California

Labor and Workforce Development Agency /
Department of Industrial Relations

Private Attorneys General Act (PAGA) – Filing

New PAGA Claim Notice

Your Information (Person Who is Filing)

Your First Name *

Anthony

Your Last Name *

Draper

Firm Name (if any) *

JAMES HAWKINS APLC

(Enter "in pro per" if you are representing yourself)

Your Email Address *

anthony@jameshawkinsap

Your Street Name, Number and Suite/Apt *

9880 Research Drive, Suite

Your Mobile Phone Number

9493877200

Your City *

Irvine

Your Work Phone Number

Your State *

California

Your Zip/Postal Code *

92618

Plaintiff Information

Plaintiff/Aggrieved Employee Name *

Joanne Rodelle Lawhorn

Plaintiff/Aggrieved Employee Occupation *

Business Analyst Level 2

[Add Additional Plaintiffs](#)

Employer Information

Employer Entity Type

Corporation

Employer Name *

Centene Management Corporation, LLC

Maximum 80 Character Limit

Employer Street Name, Number and Suite/Apt *

Employer City *

330 N Brand Blvd.	Glendale
Employer State * California	Employer Zip/Postal Code * 91203
Employer Industry * Other	Employer Industry for "Other" * Healthcare

Add additional defendants

☐ Add any entity other than an individual

☐ Add an individual/sole proprietor employer

Notice General Information

Estimated Number of Employees Impacted by Violations *
100

Notice Violations – Check All that Apply *

- ☐ Child Labor
- ☐ Misclassification Employee Classified as Contractor
- ☐ Misclassification NonExempt Classified as Exempt
- ☒ Minimum Wage
- ☒ Overtime
- ☒ Not paid for all hours worked
- ☒ Not paid wages due on termination
- ☒ Other Unpaid Wages
- ☐ Tips or Gratuities
- ☒ Payment or Reimbursement of Employee Expenses
- ☐ Improper Form of Payment Including NSF Checks
- ☐ Kickbacks
- ☒ Meal and Rest Breaks
- ☐ Sick Leave
- ☐ Lactation Accommodation (Labor Code 1030–1033)
- ☐ Not providing required time off, other
- ☐ Pay Discrimination on basis of sex, (Labor Code 1197.5)
- ☐ No Wage Statements
- ☒ Improper or Incomplete Wage Statements
- ☒ Other Notice or Posting or Recordkeeping
- ☐ Public Works (Labor Code 1720 – 1815)
- ☐ Apprenticeship (Labor Code 3070 – 3098)
- ☐ Occupational Safety and Health (Labor Code 6300 et seq)
- ☐ No Workers' Compensation
- ☐ Licensing, Registration, or Permit
- ☐ Unfair Immigration Activities
- ☐ Agricultural Labor Relations
- ☐ Industrial Homework
- ☐ Retaliation for Protected Status or Activity (Specify)
- ☒ Other

Child Labor – Specify Ages**Provide Details of Other Violation *****Other(Maybe Multiple)**

- ☐ Other Violation

PAGA Claim Type – Check All that Apply *

- ☒ Notice asserts one or more Labor Code violations listed in Labor Code 2699.5– not curable subject to 2699.3(a)
- ☐ Notice asserts one or more OSHA violations subject to requirements of 2699.3(b)
- ☒ Includes one or more violations not listed in Labor Code 2699.5 – curable subject to 2699.3(c)

Filing Fee

A filing fee of \$75 is required to file a new PAGA claim notice.

IFP

- ☐ I wish to claim In Forma Pauperis and am attaching a Confidential Request to Waive Court Fees (Judicial Council Court Form FW-001) or similar form to this submission.

Billing information**Billing First Name *****Billing Last Name *****Billing Email *****Billing Phone****Billing Street Name, Number and Suite/Apt *****Billing City *****Billing State ***

Please select... ▼

Billing Zip/Postal Code ***Credit Card Type ***

Please select... ▼

Credit Card Number ***CVV Number *****Credit Card Expiration Month ***

mm

Credit Card Expiration Year *

yyyy

Notice and Other Attachments**PAGA Claim Notice (must be a .pdf) *** 02.03.23 LWDA Letter.pdf**Other Attachment – (if any) (must be a .pdf)** 02.03.23 Class Complaint.pdf

[Add Another Attachment](#)

Should you have questions regarding this online form, please contact PAGInfo@dir.ca.gov

IMPORTANT NOTICE OF REDACTION RESPONSIBILITY: All filers must redact: Social Security or taxpayer identification numbers; personal addresses, personal telephone numbers, personal email addresses, dates of birth; names of minor children; & financial account numbers. This requirement applies to all documents, including attachments.

☒ I understand that, if I file, I must comply with the redaction rules consistent with this notice.

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