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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

REBEKAH DIAZ, RANDI STENSBERG,
RAFAEL URIBE, and VIRGINIA ZEBLEY,
individuals, on behalf of themselves and on
behalf of all persons similarly situated,

Plaintiff,

vs.

LOYAL SOURCE GOVERNMENT SERVICES
LLC, a limited liability company; and DOES 1
through 50, inclusive,

Defendants.

Case No. 22STCV15413

[Consolidated with Case No.
22STCV22205]

**DECLARATION OF VIRGINIA
ZEBLEY IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT**

Hearing Date: October 4, 2023

Hearing Time: 10:30 a.m.

Judge: Hon. Stuart M. Rice

Dept: SS-1

Date Filed: May 10, 2022

Trial Date: Not set

1 I, Virginia Zebley, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a proposed Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Preliminary
4 Approval of Class Settlement and in support of my application for a Class Representative
5 Service Payment.
6

7 2. I have personal knowledge of all the facts stated herein. I could and would competently
8 testify under oath to these facts in court if requested to do so.

9 3. I have worked for Loyal Source Government Services LLC ("Loyal Source") in
10 California since November of 2019 and have been classified by Loyal Source as an hourly, non-
11 exempt employee during that time period.
12

13 4. I retained my attorneys who are experienced in both class action and PAGA
14 representative action litigation and claims against employers for violations of the California
15 Labor Code. I have no personal relationship or family ties to my attorneys or any officer of the
16 Court. I am not aware of having any actual or potential conflicts of interest with another class
17 member in this case nor am I aware of having any actual or potential conflicts of interest with
18 ILYM Group, Inc., the settlement administrator. I am not aware of any other pending matter or
19 action asserting claims that will be extinguished or adversely affected by this settlement.
20

21 5. I decided to pursue this class action lawsuit and be a plaintiff/class representative
22 because I felt that my legal rights as an employee and others like me were violated. For
23 example, the wage statements issued to me by Loyal Source were inaccurate because, for
24 instance, they did not correctly itemize the total amount of hours I worked. Loyal Source also
25 had deficient meal and rest period policies in place. For example, Loyal Source's rest period
26 policy stated I was to remain on the company premises during rest breaks. I should have received
27

1 duty-free rest periods including the ability to leave the premises if I chose to do so.

2 6. I spoke to my attorneys several times and discussed how Loyal Source implemented its
3 company policies and procedures. I also assisted my attorneys in their investigation into my
4 claims by providing them documents and answering their questions. I reviewed the amended
5 complaint before it was filed and after it was filed I was given access to an electronic file sharing
6 program that included past filings in the case and alerted me via email when important
7 documents were filed so that I could review them and keep up with the developments in the case
8 which I understood was one of my duties as a class representative. I would also contact my
9 attorneys from time to time if I had any questions about the case.
10

11 7. Even though this action is in the process of settling, I was and remain prepared to
12 perform all the duties of a class representative. I understand that as a class representative I have
13 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent class
14 members. I have understood that as a fiduciary, I have a duty to prosecute this action for the
15 benefit of the class members and surrender any right to compromise the group action for an
16 individual gain.
17

18 8. I understood that being a plaintiff/class representative in this case meant that I
19 was seeking damages not only for myself but also other current and/or former hourly, non-
20 exempt employees working for Loyal Source in California. I felt that these individuals were not
21 aware of their labor law rights and even if they were they would probably be apprehensive about
22 speaking up or even simply because of the time, effort and risk involved in filing a class action
23 lawsuit.
24

25 9. I understood that being a part of this lawsuit involved risks. For example, my
26 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
27

1 pay for all or part of the attorney fees and costs paid by Loyal Source to defend this lawsuit.
2 Also, I know there is a risk that future employers, if they ever find out about this lawsuit, could
3 hold it against me or downgrade me as a potential hire. As one of only four named Plaintiffs in
4 this case it would not be difficult for a future employer to become aware that I sued my employer
5 for labor law violations. Ultimately I decided these risks were worth it and decided to fight for
6 my rights and the rights of others regardless of the risks, time and effort I spent on this case.
7

8 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
9 kept up to date on important developments by reviewing court filings that were made available to
10 me electronically as I described above.

11 11. A mediation took place on January 20, 2023 with David A. Rotman, a well-
12 respected and experienced mediator of wage and hour class actions. After the mediation the
13 parties were able to reach an agreement to settle the action. I communicated with my attorneys
14 regarding the terms of the settlement which was reached between the parties and understood that
15 I was representing absent class members and therefore wanted the best possible result to be
16 obtained for the class members and I believe a very positive result was in fact achieved via
17 settlement. I reviewed and signed the Memorandum of Understanding on January 26, 2023 and
18 when the final settlement papers were ready, I closely reviewed the Settlement Agreement which
19 I signed on April 4, 2023.
20

21 12. I have been actively involved with this lawsuit performing the duties described above.
22 Although I did not keep time records, I was in regular contact with my attorneys, reviewed court
23 filings, and spent a significant amount of time on the issues presented during the lawsuit and in
24 the settlement process. I estimate that I spent approximately 20-30 hours working on this case
25 up until this point. I believe I have been diligent and have done what is expected of a named
26
27

1 plaintiff and a proposed class representative to date, and will continue to do so. I have and
2 always will maintain the best interest of the class members.

3 13. My attorneys explained to me that the settlement process involves a two-step
4 review by the Court to determine whether the settlement is fair before approving the settlement.
5 I know this process also involves notifying all class members of the settlement terms and of their
6 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
7 settlement.
8

9 14. I believe I did the right thing by filing this case on behalf of the class members who,
10 subject to court approval, are in line to receive monetary payments as a result of this case and
11 settlement. This is money they may never have ever gotten if I did not pursue this action on their
12 behalf. I feel significant personal satisfaction to know that I played a role in the class members
13 being entitled to monetary payments as a result of the filing of this lawsuit. I also believe that
14 the requested Class Representative Service Payment of \$10,000 from the settlement is fair
15 compensation for the work I performed and the risks I undertook.
16

17 15. As part of the settlement it was necessary for me to sign a general release of all
18 claims I may have against Loyal Source. I believe the Class Representative Service Payment I
19 have requested provides me with some compensation for this agreed release.
20

21 16. In light of all the time and effort I have spent on this case, the risk I undertook by
22 suing my employer, the exposure to being responsible for paying Loyal Source's costs in the
23 event we did not win the case, the reputational risk that future employers may hold this lawsuit
24 against me, the general release, and in light of the size of the settlement, I believe the request for
25 \$10,000 as a Class Representative service payment is fair and reasonable.

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

3 Executed on Sep 5, 2023, at Fallbrook, California
4 (city, state)

5 
6 Virginia Zebley (Sep 5, 2023 16:01 PDT)
7 Virginia Zebley