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Attorneys for Plaintiff and Aggrieved Employees

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

CAROLYN SCHMIDT-GUNTHNER, as
 an individual and on behalf of all others
 similarly situated,

Plaintiff,

vs.

THE HIGH DESERT 'PARTNERSHIP
 IN ACADEMIC EXCELLENCE'
 FOUNDATION, INCORPORATED, a
 California nonprofit corporation; and
 DOES 1 through 50, inclusive,

Defendants.

Case No.: CIVSB2213906

[Assigned for all purposes to the Hon. David Cohn,
 Dept. S-26]

**DECLARATION OF CAROLYN SCHMIDT-
 GUNTHNER IN SUPPORT OF PLAINTIFF'S
 MOTION TO APPROVE SETTLEMENT
 AGREEMENT PURSUANT TO THE
 PRIVATE ATTORNEYS GENERAL ACT**

Date: August 31, 2023
 Time: 9:00 a.m.
 Dept: S-26

Complaint Filed: July 6, 2022
 Trial Date: None

1 I, Carolyn Schmidt-Gunthner, declare as follows:

2 1. I am an individual over the age of 18 years old and am a resident of California. I
3 am the named Plaintiff in this matter. I have personal knowledge of the facts set forth below and
4 if called to testify I could and would do so competently.

5 2. I was employed by Defendant The High Desert 'Partnership in Academic
6 Excellence' Foundation, Incorporated ("Defendant") during the approximate period of April 6,
7 2007 through March 20, 2023. Throughout my employment with Defendant, I have been a non-
8 exempt, hourly employee throughout my employment.

9 3. Prior to approximately June 30, 2022, I was continuously paid more than seven
10 days after the end of the pay periods.

11 4. I understand that this action was brought on behalf of the State of California and
12 other employees of Defendant. I have invested a lot of personal time and energy into
13 representing the interests of my co-workers and the State.

14 5. Throughout the case, I spent time looking for documents relevant to the case,
15 including wage statements, employee handbooks and emails. Additionally, I met with my
16 attorneys on multiple occasions to provide documents and information regarding Defendant's
17 personnel and payroll practices and discuss the status of the case. I also met with my attorneys to
18 review and provide input on case documents, such as the PAGA Notice and Complaint.

19 6. Before signing the PAGA Settlement Agreement (the "Settlement Agreement" or
20 "Agreement"), I discussed in detail the terms of the Agreement with my attorneys. I believe that
21 the terms of the Agreement are fair, adequate and reasonable.

22 7. I did not make the decision to join this representative action lightly. I was
23 concerned by the attention a publicly filed lawsuit would attract. My name would be associated
24 with a lawsuit that I filed against my employer. Additionally, because the claims alleged by me
25 involved the payment of costs to the prevailing party, I could have possibly faced paying the fees
26 and costs of Defendants, had I not prevailed in this action. I also understood that an individual
27 case would have resolved much faster than a representative action and involved much less
28 financial risk than a class action.

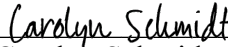
8. I respectfully request that the Court award a \$7,000 Release Payment to me. I

1 believe this amount is fair compensation for my time and effort on this case, for helping to
2 prosecute this case, and the risks with respect to my current and future employment. In addition,
3 the Settlement requires that I enter into a general release, which I understand is broader than the
4 release that will bind other employees.

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

7 Executed on this 9th day of August 2023, at 8:05Am, Apple valley, . ca

8 DocuSigned by:



9 Carolyn Schmidt-Gunthner