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Attorneys for Plaintiff SUSAN MOHAMED,

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

PAMELA RACE, SUSAN MOHAMED, and
JUDITH SMULAND, on behalf of others
similarly situated and the State of California
under the Private Attorneys General Act,

Plaintiffs,

v.

SOUTHWEST HEALTHCARE SYSTEM
AUXILIARY; SOUTHWEST HEALTHCARE
INLAND VALLEY HOSPITAL;
SOUTHWEST HEALTHCARE RANCHO
SPRINGS HOSPITAL; and DOES 1 through
50, inclusive,

Defendants..

Case No. 24CU021889C

Hon. Matthew C. Braner
Dept. 60

**DECLARATION OF SUSAN MOHAMED
IN SUPPORT OF JOINT STIPULATION
REQUESTING APPROVAL OF
REPRESENTATIVE PAGA
SETTLEMENT AND ENTERING
JUDGMENT THEREON**

DECLARATION OF SUSAN MOHAMED

I, SUSAN MOHAMED, declare as follows:

1. I am over the age of eighteen. The following is based upon my personal knowledge, and if called as a witness, I could and would competently testify regarding the statements in this Declaration.

2. I was employed by Defendant Universal Health Services of Rancho Springs, Inc. ("Defendants"), as a non-exempt employee in approximately during February of 2024 as a Non-Exempt Employee with the title of Telemetry Technician ECG/EKG I and worked during the liability period for Defendants, at Defendants' Wildomar, California location until my separation from Defendants' employ in approximately July of 2024.

3. Prior to filing this lawsuit, I searched for an attorney and found James Hawkins, APLC. I never knew James Hawkins, APLC before my consultation with them. After my consultation, I asked them to represent me in bringing a PAGA action on behalf of myself and all other similarly situated non-exempt employees of Defendant.

4. I knew the alleged Labor Code violations complained of in the complaint not only happened to me, but also happened to the other employees of Defendant's that I worked with. I wanted to help the other non-exempt workers vindicate their rights, so I decided to bring this lawsuit.

5. I believe my situation is similar and has been similar to all other non-exempt employees like me who worked for Defendants during the PAGA period. The Complaint which I brought against Defendants, alleged PAGA Representative claims for: (a) failure to pay minimum and overtime wages, (b) failure to provide meal periods, (c) failure to provide rest periods, (d) failure to provide accurate itemized wage statements, (e) failure to pay vested vacation pay, (f) failure to reimburse necessary business expenses, and (g) failure to timely pay wages upon separation and during employment.

6. I believe that my interests have been and continue to be in alignment with the Aggrieved Employees, and I am willing to continue to pursue and prosecute their representative claims against Defendants in this litigation. I believe I do not have any interests which are

1 against the interests of the PAGA Settlement Members, and I will continue to do what is best for
2 all the PAGA Settlement Members rather than myself, as I have done from the beginning of this
3 case.

4 7. My relationship with James Hawkins, APLC is purely an attorney client
5 relationship and there are no other business, familial or social relationships between my attorney
6 and myself. In addition, I do not have any relationship with Defendants other than being a former
7 employee of Defendants. For these reasons, there is no conflict of interest between myself, my
8 attorney, between Defendants, and myself or between the PAGA Settlement Members and
9 myself.

10 8. As the PAGA Representative in this case, I participated in every aspect of the
11 litigation and have been apprised of its progress. I believe I have maintained the best interests of
12 the Aggrieved Employees while performing my PAGA Representative duties. I have participated
13 in many interviews and conferences with my counsel regarding the conduct and settlement of this
14 matter.

15 9. My counsel has informed me that this information, along with the details and
16 support I provided for the claims alleged in this matter, were very important in convincing
17 Defendant to negotiate the settlement now before the Court for approval. I have also provided
18 many documents to my counsel in support of the PAGA claims, have helped my attorneys with
19 preparing written questions and what documents to ask for, and I have invested a lot of time and
20 effort in performing my duties on behalf of the PAGA Settlement Members. I also conducted
21 numerous meetings with my counsel to prepare for and discuss Defendant's information requests
22 relating to discovery. I was also available and helpful to the private mediation of this matter,
23 which took place over the course of a full day.

24 10. After reviewing the Settlement Agreement and speaking with my counsel about it,
25 I agreed to sign it on behalf of myself and all the other PAGA Settlement Members. I signed the
26 Settlement because I believe the Settlement obtained in this case on behalf of the PAGA
27 Settlement Members is very fair, sufficient, and reasonable in view of the facts I know and have
28 been made aware of, and due to the risk of going through further litigation. I believe the average

payouts for the PAGA Settlement Members are very reasonable considering all the facts and evidence and risks moving the case forward to trial.

11. I also understand and believe to be fair the settlement allocation formula and believe it fairly accounts for the individual settlement payments based on the strengths and weaknesses of the various alleged claims and also considering the individual compensation and pay rates for the various class members over the settlement period.

12. I also understand my counsel will request that I be awarded a service payment of \$5,000.00 for my efforts as a PAGA Representative, and that this additional payment is not guaranteed, but must be approved by the Court. I believe the requested enhancement payment is fair and reasonable based upon the results we have achieved for the PAGA Settlement Members and because of the tasks I have performed on their behalf, including:

- Compilation of many documents for my attorneys;
- Review of many documents with my attorneys;
- Conducting preparation with my attorneys and participating in responding to information to informal discovery requests;
- Availability and participating in a full day of private mediation of this case;
- Several telephone conferences with my attorneys and their representatives; and
- Participation in the approval settlement process;

13. I estimate that I have spent approximately 40 hours helping to prosecute this matter.

14. I also believe the requested enhancement payment is fair and reasonable because my decision to accept the risk of being a PAGA Representative in a PAGA action under the Labor Code may affect my future ability to get other jobs in this industry. I also understood and accepted the risk of potentially being liable for the opposing parties' costs and attorneys' fees if I was unsuccessful in this lawsuit. I voluntarily assumed these real and large risks and the case would not have been brought without me and the other class members. I believe the Aggrieved Employees will receive a good benefit by resolving their claims against Defendant under the terms of the settlement.

Signed by: SUSAN MOHAMMED
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SUSAN MOHAMED