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Attorneys for Plaintiff
ANDREA PRIOR

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LAKE

ANDREA PRIOR on behalf of herself, and all
aggrieved employees,

Plaintiff,

v.

ADVENTIST HEALTH CLEARLAKE
HOSPITAL, INC.; and DOES 1 through 10,
inclusive,

Defendants.

Case No: CV 423216

REPRESENTATIVE ACTION

**DECLARATION OF PLAINTIFF
ANDREA PRIOR IN SUPPORT OF
MOTIONS FOR AN ORDER APPROVING
SETTLEMENT OF PAGA ACTION AND
DISMISSING ACTION WITH
PREJUDICE AND FOR AN ORDER
AWARDING ATTORNEYS' FEES AND
COSTS, ENHANCEMENT PAYMENTS,
AND SETTLEMENT ADMINISTRATION
FEES**

Date: August 19, 2024

Time: 9:00 a.m.

Dept. 1

Complaint filed: October 21, 2022

Trial: Not set

1 I, Andrea Prior, declare as follows:

2 1. I am the named Plaintiff in the case against Adventist Health Clearlake Hospital
3 (“Adventist” or “Defendant”). I submit this Declaration in support of Plaintiff’s motion for
4 PAGA approval as well as the motion for attorneys’ fees and costs, enhancement payment, and
5 settlement administration fees. I am a competent adult, I have personal knowledge of the facts
6 set forth in this declaration, and I could and would testify competently under oath if called as a
7 witness.

8 2. Adventist operates a hospital in Clearlake, California. I worked for Adventist from
9 approximately 2003 through December 7, 2021, and was promoted to the position Clinical
10 Laboratory Scientist Assistant in 2020.

11 3. I believed it was wrong for Adventist to not pay me for all of my hours worked, to
12 not provide me with adequate meal and rest periods, and to not reimburse my business expenses.

13 4. Prior to initiating this action, I spoke to my attorney Robert Spencer, Esq. of
14 Keller Grover LLP. I spent over an hour describing to Mr. Spencer the facts of my case. We also
15 discussed the fact that this case would be brought as a PAGA action and what that meant,
16 including that a PAGA action is an enforcement action on behalf of the State of California that
17 seeks penalties. We also discussed my responsibilities as a representative of the aggrieved
18 employees. Additionally, we discussed what litigation was like, including the different stages of
19 litigation, the work it entails, and how long these types of cases take. I then determined that
20 Keller Grover LLP was the proper law firm to bring my case.

21 5. From the inception of this lawsuit, I have understood that this is a PAGA action
22 that is an enforcement action on behalf of the State of California that seeks penalties. I worked
23 with Mr. Spencer to draft the PAGA letter. We spent close to an hour on the phone to make sure
24 it was factually correct. I also spent an hour reviewing it before it was sent to the LWDA. I also
25 reviewed the complaint after it was drafted, Mr. Spencer provided it to me before it was filed. I
26 spent an hour reviewing it before it was filed to make sure it was accurate.

27 6. Mr. Spencer kept me up to date regarding the status of my case. Mr. Spencer also
28 made me aware that Defendant was open to mediating this action. I kept up to date regarding the

1 mediation and made sure I was available on the date of the mediation in order to answer any
2 questions that Mr. Spencer had. I also had numerous telephone conversations with Mr. Spencer
3 to answer questions he had in order to draft the mediation brief.

4 7. After the mediation was successful, I reviewed the Labor Code Private Attorneys
5 General Act Settlement Agreement (“Settlement Agreement”) with Mr. Spencer and spent
6 approximately half an hour discussing with him regarding how the settlement funds were to be
7 distributed and whether the settlement and the plan of distribution were fair. I then spent another
8 hour reviewing the Settlement Agreement.

9 8. Throughout my involvement in the case, I have maintained regular telephonic
10 communications with Mr. Spencer to discuss the status of the case and to respond to any
11 questions he might have. We speak at least once month, if not more.

12 9. When I agreed to act as a named plaintiff, I understood that I might be responsible
13 for some of the costs incurred by Defendant if the lawsuit was unsuccessful. In addition to this, I
14 worried about my reputation in the community if people were to find out I had sued somebody. I
15 would also have attended trial and testified if the case had reached that point.

16 10. I also am concerned about the possible repercussions to my future job
17 opportunities because I have been a plaintiff in a wage and hour lawsuit against an employer.

18 11. I understood from the beginning that I was pursuing this case not only for my own
19 benefit, but also for the benefit of large numbers of past and present employees and the State of
20 California.

21 12. I believe that the settlement reached in this case is fair and, in light of the risks
22 involved, will justly compensate the State of California and the aggrieved employees. I believe
23 that the enhancement I have requested is fair in light of the work I put into the case, the risks I
24 took, the harm that I believe my suing my employer could cause me in terms of future job
25 prospects, and the benefits that have been achieved for the State of California and the aggrieved
26 employees. I have also provided a general release of my claims.

27 13. I understand the settlement we have reached in this case must be approved by the
28 Court and I must protect the interest of the State of California and the aggrieved employees.

14. I have no interest in or relationship with the proposed Settlement Administrator, Simpluris, Inc.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Declaration was executed on 7/16/2024 at Clearlake, California.

DocuSigned by:

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ANDREA PRIOR

PROOF OF SERVICE

I, JOEY GONZALEZ, am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to the within action. My business address is 1965 Market Street, San Francisco, California 94103. On July 19, 2024, in the case of *Andrea Prior v. Adventist Health Clearlake Hospital, Inc.*, Lake County Superior Court Case Number CV 423216, I served the foregoing document(s):

DECLARATION OF PLAINTIFF ANDREA PRIOR IN SUPPORT OF MOTIONS FOR AN ORDER APPROVING SETTLEMENT OF PAGA ACTION AND DISMISSING ACTION WITH PREJUDICE AND FOR AN ORDER AWARDING ATTORNEYS' FEES AND COSTS, ENHANCEMENT PAYMENTS, AND SETTLEMENT ADMINISTRATION FEES

on the interested party(ies) below, using the following means:

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☒	(BY ELECTRONIC SERVICE) by electronically mailing a true and correct copy in PDF format through our electronic mail system to the email address(es) set forth above, or as stated on the attached service list per agreement between the parties.
☒	(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



JOEY GONZALEZ