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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

ALEXANDRIA ILENE KABITZKE, on behalf
of herself and all others similarly situated,

Plaintiff,

v.

CENTRO DE SALUD DE LA COMUNIDAD
DE SAN YSIDRO d/b/a SAN YSIDRO
HEALTH, a California corporation; and DOES
1 through 50,

Defendants.

Case No. 37-2022-00046873-CU-OE-CTL

Judge: Hon. Gregory W. Pollack

**DECLARATION OF AUDREY
RAMIREZ (FORMERLY HEREDIA) IN
SUPPORT OF PLAINTIFF
ALEXANDRIA ILENE KABITZKE'S
MOTION FOR FINAL APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: October 9, 2024

Time: 1:30 p.m.

Dept: C-71

1 I, Audrey Ramirez (formerly Audrey Heredia), declare as follows.

2 1. I am the Intervening Plaintiff in the above-captioned action (“Action”)¹ and the named
3 plaintiff in *Heredia v. Centro de Salud de la Comunidad de San Ysidro, Inc.*, San Diego Superior
4 Court Case No. 37-2020-00046387-CO-OE-CTL (the “*Heredia* Action”). I am over the age of 18.
5 The following statements are based on my personal knowledge. If called as a witness in this Action,
6 I could and would testify competently to these facts under oath.

7 2. I submit this Declaration in Support of Plaintiff Alexandra Ilene Kabitzke’s
8 (“Plaintiff” or “Kabitzke”) Motion for Final Approval of Class Action and PAGA Settlement
9 (“Motion”).

10 3. I am a formerly hourly employee of Defendant Centro de Salud de la Comunidad de
11 San Ysidro, Inc., dba San Ysidro Health (“Defendant” or “San Ysidro Health”), who worked for San
12 Ysidro Health in California as a medical assistant from approximately April 20, 2015 to April 26,
13 2018.

14 4. I experienced issues in my employment with Defendant as alleged in this Action and
15 in the *Heredia* Action, including issues with rest breaks, payment of overtime/premiums based on
16 regular rates, and reimbursements.

17 5. Prior to filing the case, I had multiple telephone conversations with my attorneys about
18 my work experiences and possible claims. I knew there was no guarantee we would be successful in
19 the case and that there was a significant chance of protracted litigation. I was concerned that my
20 participation in the lawsuit could deter potential future employers from hiring me. I also understood
21 that I may have had to spend a significant amount of time in the discovery process. However, I decided
22 take this risk upon myself and move forward with the case on behalf of the Class. I believed that it
23 was important to stand up for workers’ rights and I wanted to try to achieve the best outcome for
24 Class members.

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27 ¹ On November 17, 2023, the Court granted Intervening Plaintiffs Audrey Heredia and Jacqueline
28 Hernandez’s (“Hernandez,” together with Heredia, “Intervening Plaintiffs”) motion to intervene in
this Action. *See* ROA No. 97.

1 6. Since then, throughout the time period of more than three years after I filed the *Heredia*
2 Action on December 17, 2020, I spent a significant amount of my own effort and time to pursue the
3 wage and hour claims against Defendant on behalf of the Class. Among other things:

4 (a) I worked with my attorneys to review the facts and answer questions so they
5 could draft the complaint and the amended complaint;

6 (b) I provided my documents and assisted my attorneys in their review and
7 analysis of the documents produced by Defendant;

8 (c) I worked with my attorneys to answer interrogatories served by Defendant;

9 (d) I met with my attorneys several times to prepare for my depositions;

10 (e) I appeared for two separate sessions of depositions – one on June 9, 2021, and
11 the other on September 21, 2021;

12 (f) I worked with my attorneys to review the facts and assist them in preparing
13 oppositions to Defendant's motions, including submitting a declaration in opposition;

14 (g) I assisted my attorneys in preparing for a mediation with Defendant and
15 remained available to answer questions during the September 19, 2022;

16 (h) I communicated regularly with my attorneys to keep apprised of the status of
17 the litigation and answer questions as needed; and

18 (i) I had numerous discussions with my attorneys to keep up to date on the status
19 of the litigation.

20 7. I understand that the *Heredia* Action was a very active case, and it required a lot of
21 my time and involvement. In sum, over the time period of more than three years, I have contributed
22 more than a hundred hours of my own time to the litigation of the Class claims and have assisted my
23 attorneys in their litigation efforts. I estimate I spent at least 160 hours for the *Heredia* Action.

24 8. I was and continue to be prepared to perform the duties of a class representative, and
25 I understand that as a class representative I have assumed a duty to prosecute this action for the benefit
26 of Class members and place the interests of the Class members above my own.

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9. I communicated with my attorneys regarding the terms of this Settlement (including the Addendum), and believe that I played a significant role in the Class members being able to obtain the monetary payments in this Settlement.

10. In addition, to make this proposed Settlement a reality, I also agreed to a general release. The general release encompasses all claims I may have arising out of my employment with Defendant. In contrast, I understand that the release for Class members is limited to the claims alleged in this case. I agreed to the general release as a condition of settlement to resolve my claims and the claims of the Class members.

11. Aside from payment I am eligible to receive as a Class member, and the \$20,000.00 Class Representative Service Award (subject to Court-approval), I am not receiving any other benefits from this Settlement.

12. I am not aware of any actual or potential conflicts of interest with another Class Member and I have no relationship with ILYM Group, Inc., the settlement administrator.

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

Executed on September 16, 2024 at San Diego, California.

Audrey Kämmer

Audrey Ramirez