

AEGIS LAW FIRM, PC

KASHIF HAQUE, State Bar No. 218672
SAMUEL A. WONG, State Bar No. 217104
JESSICA L. CAMPBELL, State Bar No. 280626
FAWN F. BEKAM, State Bar No. 307312
9811 Irvine Center Drive, Suite 100
Irvine, California 92618
Telephone: (949) 379-6250
Facsimile: (949) 379-6251
Email: fbekam@aegislawfirm.com

Attorneys for Plaintiff Terra J. Tupper,
individually and on behalf of all others similarly situated.

SUPERIOR COURT OF THE STATE OF CALIFORNIA**FOR THE COUNTY OF SACRAMENTO**

TERRA J. TUPPER, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

NATIONAL PSYCHIATRIC CARE AND
REHABILITATION SERVICES, INC.;
FAIR OAKS RESIDENTIAL
TREATMENT FACILITY LLC;
NATIONAL HOME HEALTH SERVICES,
INC.; and DOES 2 through 20, inclusive,

Defendants.

Case No. 34-2022-00326696

*Assigned for all purposes to
Hon. Lauri A. Damrell, Dept. 28*

**DECLARATION OF TERRA J. TUPPER
MOTION FOR APPROVAL OF PAGA
SETTLEMENT**

Date: December 1, 2023
Time: 9:00 a.m.
Dept.: 28

1 I, Terra J. Tupper, declare as follows:

2 1. I have personal knowledge of the facts set forth herein and if called upon to testify,
3 I could and would do so competently under oath. I make this declaration in support of my Motion
4 for Approval of Private Attorneys General Act Representative Action Settlement.

5 2. From approximately July 2019 to February 5, 2022, I worked for Defendant National
6 Psychiatric Care and Rehabilitation Services, Inc. ("NPCRS") as a non-exempt mental health rehab
7 worker. While I was working there, I felt that myself and many other NPCRS employees were not
8 being paid correctly and not receiving breaks that I learned are required by law.

9 3. I participated in many conversations with my attorneys, provided my attorneys with
10 information related to my working conditions and NPCRS's company structure and operations, and
11 gathered and reviewed documents.

12 4. During the course of this case, I contacted my attorneys regularly for updates on the
13 status of the case. I also assisted my attorneys in preparing for mediation and made myself available
14 by phone on the day of mediation to answer questions. In preparation for mediation, I spoke with
15 my attorneys about the status of the case, its strengths and weaknesses, and believe that I assisted
16 them in evaluating the claims and potential damages for use at mediation.

17 5. After mediation, I reviewed the settlement agreement and discussed the terms with
18 my attorneys. I understand that although I filed class action claims, the case settled on a PAGA-
19 basis. As a result, I understand that all of the other NPCRS employees will be able to keep their
20 wage and hour claims and pursue them if they wish. I believe the settlement in this case is fair and
21 adequate, and in the best interest of everyone covered by the settlement.

22 6. I also understand that the settlement provides that in exchange for waiving my own
23 individual wage and hour claims, NPCRS agreed to pay \$10,000 out of the total settlement amount.
24 I believe that I am owed much more than \$10,000 for the hours I worked and was not paid for, but
25 recognize that there are risks involved with litigation that favor settlement at this time.

26 7. When I decided to file this lawsuit, I understood that I was seeking recovery not only
27 for myself, but also for all other employees who worked for NPCRS, and that by doing so, I would
28 be delaying more immediate recovery available to me through the Labor Commissioner's office. I

1 believe that the \$10,000 I am seeking for my individual wage and hour claims is fair and reasonable
2 in light of the work I have performed in this case and the value of the claims that I am agreeing to
3 resolve in exchange.

4
5 I declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct. Executed October 19, 2023, in Stockton, California.

7
8 DocuSigned by:
9 Terra Tupper
7204348B7F95469...
Terra J. Tupper