

KINGSLEY & KINGSLEY, APC
ERIC B. KINGSLEY, Esq., Cal. Bar No. 185123
eric@kingsleykingsley.com
LIANE KATZENSTEIN LY., Esq., Cal. Bar No. 259230
liane@kingsleykingsley.com
16133 Ventura Blvd., Suite 1200
Encino, CA 91436
Telephone: (818) 990-8300
Fax: (818) 990-2903

Attorneys for Plaintiff and the Proposed Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF CONTRA COSTA

NICOLE PARIS, an individual, on behalf of
herself and others similarly situated

PLAINTIFF,

v.

ALLERGY & ASTHMA MEDICAL GROUP
OF THE BAY AREA, INC.; and DOES 1 thru
50, inclusive,

DEFENDANTS.

CASE NO. C22-02359

[Case Assigned for All Purposes to Hon.
Charles Treat in Dept. 12]

**DECLARATION OF NICOLE PARIS IN
SUPPORT OF PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: TBD

Time: TBD

Dept.: 12

Complaint Filed: November 1, 2022

FAC Filed: March 7, 2023

Trial Date: None Set

DECLARATION OF NICOLE PARIS

I, Nicole Paris, state and declare as follows:

1. I am a competent adult, over the age of eighteen, and the named Plaintiff in the above-captioned matter. The following is based upon my personal knowledge, and if called as a witness, I could and would testify competently thereto.

2. I am a former employee of Defendant Allergy & Asthma Medical Group of the Bay Area, Inc. ("Allergy & Asthma" or "Defendant") as an hourly non-exempt employee.

3. I brought this lawsuit, on behalf of myself and all other Class Members, against Defendant because I believe that Allergy & Asthma did not provide compliant meal breaks and rest breaks, did not provide proper reimbursement for business-related expenses, did not provide accurate itemized wage statements, and did not provide timely wages upon separation of employment to me and other employees.

4. I understand that I am representing other employees and I believe that I am able to represent them well.

5. I first researched experienced attorneys who are very experienced with these types of lawsuits. Once retained, I compiled relevant documents from my employment to assist my attorneys in litigating this case. I worked with my attorneys to develop the facts and legal claims in this lawsuit. The lawsuit was filed on November 1, 2022.

6. Throughout the litigation, I have provided my attorneys with helpful information for this lawsuit and for the Settlement as needed. Additional work in connection with this matter includes providing information to my attorneys regarding my employment with Defendant, staying in regular contact with my attorneys to discuss the status of the case, responding promptly to my attorneys' various communications regarding this matter, attending a full-day mediation on August 29, 2023; and reviewing and analyzing the settlement agreement and settlement papers to ensure the settlement was fair and reasonable and in the best interests of the Class Members.

7. I have worked to actively represent the other Class Members and their interests.

8. I have always kept the Class Members interests at heart in this litigation.

1 9. I am prepared to continue assisting with this litigation and am committed to
2 achieving the best possible results for the Class.

3 10. I believe that the class action settlement obtained on behalf of the Class is fair and
4 reasonable in light of the issues involved in this case. As mentioned above, I reviewed and
5 discussed the Agreement with my attorneys and asked them questions about it to ensure that I
6 understood its terms and what it would mean for all of the class members.

7 11. I believe that I have fairly represented the absent Class and request that the Court
8 approve this settlement and confirm me as Class Representative.

9 12. I am not aware of any conflicts of interest that prevent me from being confirmed as
10 Class Representative in this Action. I am not related in any way to my attorneys or to any other
11 member of the firm that is representing me. I have no business dealings or other involvement
12 beyond this lawsuit and this representation. I have not been promised any money or inducement
13 to serve as Class Representative in this Action.

14 13. It is my opinion that the settlement agreement provides for a fair and adequate
15 enhancement for me as a Class Representative, in the amount of \$10,000.00. I believe that this is
16 fair and reasonable in light of all of the work that I have performed in my role as Class
17 Representative. As Class Representative, I have actively participated in all stages of the litigation,
18 as detailed above, and have always maintained the best interests of the Class while performing my
19 Class Representative duties.

20 14. It is also my opinion that the Class Representative enhancement is fair, reasonable,
21 and adequate because, in addition to the many hours spent participating in the prosecution of this
22 case, I accepted the potential risk of being liable for Defendant's attorneys' fees and costs if we
23 were unsuccessful in this Action. Likewise, I risk the potential stigma of being a Class
24 Representative in a class action labor dispute, which may affect my future employability.

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

27 Executed this 27 day of November, 2023 at Oakley,
28

California.

DocuSigned by:


83A467AE53A447E...
Nicole Paris

(PROOF OF SERVICE)
[CCP 1013(a)(3)]
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On January 3, 2024, I served all interested parties in this action the following documents described as: **DECLARATION OF NICOLE PARIS IN SUPPORT OF PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Matthew Wayne, Esq.
Amber A. Eklof, Esq.
Melanie Frakes, Esq.
GORDON REES SCULLY MANSUKHANI
275 Battery Street, Suite 2000
San Francisco, CA 94111
mwayne@grsm.com
aeklof@grsm.com
mfrakes@grsm.com

☐ **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY ELECTRONIC SERVICE:** I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

☒ **BY ELECTRONIC MAIL TRANSMISSION:** I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the below email address(es).

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 3, 2024, at Woodland Hills, California.



Michelle Tanzer