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and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF TULARE

MAYRA DIAZ, on behalf of herself and
on behalf of all similarly situated
individuals,

Plaintiff,

v.

KAWEAH DELTA HEALTH CARE
DISTRICT, a California public entity, and
DOES 1 through 10, inclusive,

Defendants.

CASE NO: VCU297155

Assigned to the Honorable Bret D. Hillman, Dept. 2

CLASS ACTION

**DECLARATION OF ROBERT VILLAREAL
IN SUPPORT OF UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF CLASS
AND REPRESENTATIVE ACTION
SETTLEMENT**

Date: October 22, 2024

Time: 8:30 a.m.

Dept.: 2

Action Filed: April 3, 2023

1 I, ROBERT VILLAREAL, hereby declare and state as follows:

2 1. I am a named Plaintiff in this lawsuit against Defendant Kaweah Delta Health Care
3 District (“Defendant”) and I submit this declaration in support of Plaintiffs’ Unopposed Motion
4 for Preliminary Approval of Class and Representative Action Settlement. I am a competent adult
5 and worked for Defendant as a non-exempt employee in Tulare County during the relevant time
6 period. I have personal knowledge of the facts set forth herein, and if called as a witness to testify
7 to them, I could and would do so competently.

8 2. I contacted my current attorneys when I questioned the employment practices of
9 Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a Class
10 Representative in a class action on behalf of other employees of Defendant whom I believed were
11 being subjected to labor law violations. Although presented with the opportunity, I did not pursue
12 this case on an individual basis and instead did so as a class action so that I could help other
13 employees recover for what I believed were Defendant’s illegal practices.

14 3. Specifically, I questioned Defendant’s policies of failing to pay all minimum wages
15 (as a result of rounding, on-call time, off-the-clock work, or any other theories). Through many
16 discussions with my lawyers, I learned these may be illegal practices and Defendant’s employees
17 might have recourse for them.

18 4. By bringing this lawsuit, and throughout its course, I have put the interests of the
19 class ahead of my own. I understood that I could possibly earn a small enhancement payment if
20 this case resolved itself favorably, but always knew that I could also be responsible for paying
21 Defendant’s attorneys’ fees and costs if it did not. My goal in bringing this lawsuit was to obtain
22 a recovery on behalf of the class, and even more importantly, to put an end to what I believed were
23 illegal practices on the part of Defendant. I believe I have achieved both through this lawsuit and
24 settlement.

25 5. I am very happy about the results of this litigation. I am satisfied that Defendant is
26 compensating class members for unpaid wages, penalties, and interest that I believe we are due.
27
28

6. At the onset of this case, I spent time through numerous phone calls with several of my attorneys explaining what I understood to be the policies and procedures of Defendant and how they were applied to me and others I worked with. During the course of this litigation, up through and following the settlement process, I kept actively involved with its status, tracking the status of the case and participating as much as possible.

7. While I have not maintained detailed time records of my activities in connection with this litigation, I believe that I have spent and will spend a total of approximately 25 hours assisting my attorneys with the preparation of this case, and doing work and analysis independent from my attorneys both before and during this case, including conducting an independent investigation of the facts.

8. Before this litigation commenced, and throughout its course, I have spent approximately 6 or more hours gathering, organizing, and reviewing documents and information for this lawsuit. I sifted through many of my own documents and reviewed information produced by Defendant as part of this case.

9. I have communicated with my attorneys several times per month to track my case's status. I have taken an active involvement in this matter throughout its course.

10. This lawsuit will almost certainly result in reputational harm to me. There is a stigma associated with suing anyone, let alone your former employer. I will probably be adversely affected when it comes to obtaining future employment – employers who learn that I sued Defendant in a class action will likely avoid hiring me.

11. I do not believe that I have any conflicts with other members of the class. My interests in bringing this lawsuit – for Defendant to change its labor practices going forward and to compensate current and former employees – are the same as those of all other class members.

I declare, under penalty of perjury, under the laws of the State of California that the foregoing is true and correct. Executed on September 09 / 10 / 2024, 2024 at Visalia, California.


ROBERT VILLAREAL