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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

GINA MARTINEZ, ISMAEL ORTEGA,
JESSICA SAELOR, as individuals, on behalf
of themselves and others similarly situated,

Plaintiffs,

v.

MOBILE-MED WORK HEALTH
SOLUTIONS, INC.; and DOES 1 thru 50,
inclusive,

Defendants.

CASE NO.: **23CV410264**

**DECLARATION OF JESSICA SAELOR
IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Hearing Date: August 28, 2024
Hearing Time: 1:30 p.m.

Judge: Hon. Theodore C. Zayner
Dept.: 19

Action Filed:
Trial Date: Not set

DECLARATION OF JESSICA SAELOR

1 I, Jessica Saelor, hereby declare as follows:

2 1. I am one of the named Plaintiffs in the above-entitled matter.

3 2. I am making this declaration in support of Plaintiffs' Motion for Preliminary
4 Approval of Class Action Settlement. I have personal knowledge of the matters stated herein and
5 could and would competently testify thereto.

6 **History**

7 3. From about March 2021 to May 2023, I worked for Defendant Mobile-Med Work
8 Health Solutions, Inc. ("Defendant") as an hourly/non-exempt Covid Tester, then as a Site Lead,
9 and then as a Facility Manager. While I was working there, I felt that many of Defendant's
10 employees were not being paid correctly and not being provided the breaks that I learned are
11 required by law.

12 4. Based on my experience and knowledge of Defendant's wage and hour policies and
13 my familiarity with its employment practices, through my attorneys, I filed a class action lawsuit
14 on or about June 5, 2023 on behalf of myself and all other non-exempt employees of Defendant
15 who were not paid all of their wages, were not reimbursed for business expenses and did not
16 receive their meal and rest breaks.

17 5. I am seeking to become a Class Representative in this case for the purpose of
18 having the Settlement Agreement approved. I believe my experiences are similar to other
19 employees who worked for Defendant. I believe we were all subject to the same employment
20 policies and practices.

21 6. I do not have conflicts with other employees that would hinder my ability to
22 represent them. Therefore, I believe I can adequately represent the other non-exempt employees of
23 Defendant.

24 7. My interests as a named plaintiff in this litigation are not adverse to the interest of
25 the other employees. My interests are the same as the interests of the other employees because we
26 were all subject to the same policies and practices and were similarly injured by Defendant's
27 company-wide policies and practices. I am seeking the same recovery on behalf of myself and
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other employees, which is to collect unpaid wages, interest, and penalties that are owed by Defendant, pursuant to the Settlement Agreement.

Work Performed in the Case

8. With respect to the work I performed on the case, I participated in many conversations with my attorneys via email and phone and provided my attorneys with information related to my working conditions as a non-exempt employee of Defendant's company structure and operations.

9. During the course of this case, I contacted my attorneys regularly for updates on the status of the case.

10. I spent considerable time searching for documents and sent everything I found to my attorneys.

11. I also assisted my attorneys preparing for mediation and made myself available by phone on the day of mediation to answer questions. In preparation for the mediation, I spoke with my attorneys about the status of the case, its strengths and weaknesses and believed that I assisted them in evaluating the claims and the potential class-wide damages for use at the mediation. After mediation, I reviewed the settlement agreement and discussed the terms with my attorneys. Based on my review of the settlement terms, conversations with my attorneys, and my understanding of the Defendant's operations as a former employee, I believe the settlement in the case is fair and adequate and in the best interest of the employees covered by the settlement.

12. I have always kept the best interests of the other employees in mind while performing my duties as one of the named plaintiffs in this action. I have been committed throughout the course of this litigation to vigorously prosecuting this case on behalf of myself and the other employees. I believe that I have demonstrated my ability to advocate for the interests of the other employees by initiating this lawsuit, providing documents to my attorneys pertaining to my employment with Defendant, going over the claims and theories with my attorneys, keeping in regular contact with my attorneys regarding the status of this lawsuit, helping my attorneys

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1 evaluate the case for settlement, and reviewing the settlement agreement and its terms to make
2 sure it was fair.

3 13. I will continue to actively participate in this lawsuit as necessary and will continue
4 to make myself available to assist in this case in the future as needed.

5 **Risks and Responsibilities of Filing the Lawsuit**

6 14. When I decided to become involved in this lawsuit as a Class Representative for
7 hourly/non-exempt employees of Defendants, I understood that I was not only seeking
8 compensation for myself, but also for all other class members who worked for Defendants, and
9 that by doing so, I would be delaying more immediate recovery available to me through the Labor
10 Commissioner's office.

11 15. I was also made aware that being a Class Representative in a class action filed on
12 behalf of others would subject me to a stigma that is sometimes associated with those who bring
13 these kinds of lawsuits. I was aware that, as a Class Representative, I might be responsible for
14 some or all of Defendants' legal costs if the case was not successfully concluded. Even with
15 knowledge of these risks, I was willing to go forward and to act on behalf of the class, but I was
16 nervous about losing and having a judgment filed against me for costs, or losing job opportunities
17 in the future.

18 16. I understood that there were risks involved in class action lawsuits. I understood
19 that the lawsuit could continue for several years and require my services and attention for the
20 entire length of the lawsuit. I learned that even if we won at trial, the case could be further delayed
21 by appeals.

22 17. Through the date of this declaration, I would estimate that I have spent
23 approximately 25 hours searching for documents; communicating with my attorneys about the
24 case; the company structure and operations; my experience at the company; being available for
25 questions by my attorneys during mediation; making myself available to my attorneys whenever
26 they needed me and similar related tasks. I responded to my attorneys' questions as quickly as I
27 was able and gave them as much information as I could to help the case. This time also includes
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the time I spent reviewing the settlement documents thus far and discussing the settlement with my attorneys before signing the settlement documents. I anticipate spending additional time working with my attorneys wrapping up the settlement and the approval process.

Enhancement Award

18. I believe that I have done everything my attorneys have asked of me, and I have tried to represent the class to the best of my ability. I think my efforts helped to get the result obtained in this case. I understand that I may be entitled to an additional payment for my role as a class representative and my work related to the case. I further understand that this additional payment is not guaranteed and is subject to Court approval. Taking into consideration the time I dedicated to this case and the results achieved through the settlement, I believe that the requested award is fair and reasonable. My opinion about the fairness and adequacy of the settlement in the case is not based on this potential payment.

19. I am not aware of any interests I have that are adverse to the interests of the proposed Class members, and I do not have any conflicts that would keep me from adequately representing the class. I remain committed to prosecuting this case vigorously on behalf of the Class.

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

Executed on 8/2/2024 in California.

DocuSigned by:



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Jessica Saelor

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