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Attorneys for Plaintiff
DALIA DELGADO

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

DALIA DELGADO, on behalf of herself, and
all aggrieved employees,

Plaintiff,

v.

AVALON VILLA HEALTH CARE, LLC; and
DOES 1 through 100, inclusive,

Defendants.

Case No: 23STCV15615

*Assigned For All Purposes to
Judge Virginia Keeny*

REPRESENTATIVE ACTION

**DECLARATION OF DALIA DELGADO IN
SUPPORT OF MOTIONS FOR AN ORDER
APPROVING SETTLEMENT OF PAGA
ACTION AND DISMISSING ACTION WITH
PREJUDICE AND FOR AN ORDER
AWARDING ATTORNEYS' FEES AND
COSTS, ENHANCEMENT PAYMENT, AND
SETTLEMENT ADMINISTRATION FEES**

Date: March 26, 2025

Time: 8:30 a.m.

Dept. 45

Complaint Filed: July 5, 2023

1 I, Dalia Delgado, declare as follows:

2 1. I am the named Plaintiff in the case against Avalon Villa Health Care, LLC
3 (“Avalon” or “Defendant”). I submit this Declaration in support of Plaintiff’s motion for PAGA
4 approval as well as the motion for attorneys’ fees and costs, enhancement payment, and settlement
5 administration fees. I am a competent adult, I have personal knowledge of the facts set forth in
6 this declaration, and I could and would testify competently under oath if called as a witness.

7 2. Avalon operates a skilled nursing and rehabilitation center in Los Angeles,
8 California. I worked for Defendant as an hourly Dietary Aid from approximately June 6, 2019
9 through October 31, 2022.

10 3. I believed it was wrong for Avalon to not pay me for all of my hours worked, to not
11 provide me with adequate meal and rest periods, and to not reimburse my business expenses.

12 4. Prior to initiating this action, I spoke to my attorney Robert Spencer, Esq. of Keller
13 Grover LLP. I spent over an hour describing to Mr. Spencer the facts of my case. We also discussed
14 the fact that this case would be brought as a PAGA action and what that meant, including that a
15 PAGA action is an enforcement action on behalf of the State of California that seeks penalties.
16 We also discussed my responsibilities as a representative of the aggrieved employees.
17 Additionally, we discussed what litigation was like, including the different stages of litigation, the
18 work it entails, and how long these types of cases take. We also discussed that there would be two
19 firms working on this action on behalf of myself and the other aggrieved employees, Keller Grover
20 LLP and Capstone Law APC. I then determined that Keller Grover LLP and Capstone Law APC
21 were the proper law firms to bring my case.

22 5. From the inception of this lawsuit, I have understood that this is a PAGA action that
23 is an enforcement action on behalf of the State of California that seeks penalties. I worked with
24 Mr. Spencer to draft the PAGA letter. We spent close to an hour on the telephone to make sure it
25 was factually correct. I also spent an hour reviewing it before it was sent to the LWDA. I also
26 reviewed the complaint after it was drafted, Mr. Spencer provided it to me before it was filed. I
27 spent an hour reviewing it before it was filed to make sure it was accurate.
28

1 6. On October 7, 2023, Defendant propounded discovery, which included 102 Special
2 Interrogatories, 39 Form Interrogatories – General, 22 Form Interrogatories – Employment, and
3 155 Requests for Production. Due to the sheer number of discovery requests, I had to spend many
4 hours over multiple weeks working with my attorneys to respond to them. I also spent many hours
5 searching for documents responsive to Defendant’s document requests. I produced close to 100
6 pages of documents.

7 7. Mr. Spencer kept me up to date regarding the status of my case. Mr. Spencer also
8 made me aware that Defendant was open to mediating this action. I kept up to date regarding the
9 mediation and made sure I was available on the date of the mediation in order to answer any
10 questions that Mr. Spencer had. I also had numerous telephone conversations with Mr. Spencer to
11 answer questions he had in order to draft the mediation brief.

12 8. After the mediation was successful, I reviewed the Labor Code Private Attorneys
13 General Act Settlement Agreement (“Settlement Agreement”) with Mr. Spencer and spent
14 approximately half an hour discussing with him regarding how the settlement funds were to be
15 distributed and whether the settlement and the plan of distribution were fair. I then spent another
16 hour reviewing the Settlement Agreement.

17 9. Throughout my involvement in the case, I have maintained regular telephonic
18 communications with Mr. Spencer to discuss the status of the case and to respond to any questions
19 he might have. We speak at least once month, if not more.

20 10. When I agreed to act as a named plaintiff, I understood that I might be responsible
21 for some of the costs incurred by Defendant if the lawsuit was unsuccessful. In addition to this, I
22 worried about my reputation in the community if people were to find out I had sued somebody. I
23 would also have attended trial and testified if the case had reached that point.

24 11. I also am concerned about the possible repercussions to my future job opportunities
25 because I have been a plaintiff in a wage and hour lawsuit against an employer.

26 12. I understood from the beginning that I was pursuing this case not only for my own
27 benefit, but also for the benefit of large numbers of past and present employees and the State of
28 California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Declaration was executed on 2/25/2025 at Los Angeles, California.

Dalia Delgado

PROOF OF SERVICE

I, JOEY GONZALEZ, am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to the within action. My business address is 1965 Market Street, San Francisco, California 94103. On **February 28, 2025**, in the case of *Dalia Delgado v. Avalon Villa Health Care, LLC*, Los Angeles Superior Court Case Number 23STCV15615, I served the foregoing document(s):

DECLARATION OF DALIA DELGADO IN SUPPORT OF MOTIONS FOR AN ORDER APPROVING SETTLEMENT OF PAGA ACTION AND DISMISSING ACTION WITH PREJUDICE AND FOR AN ORDER AWARDING ATTORNEYS' FEES AND COSTS, ENHANCEMENT PAYMENT, AND SETTLEMENT ADMINISTRATION FEES

on the interested party(ies) below, using the following means:

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☒	(BY ELECTRONIC SERVICE) by electronically mailing a true and correct copy in PDF format through our electronic mail system to the email address(es) set forth above, or as stated on the attached service list per agreement between the parties.
☒	(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



JOEY GONZALEZ