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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

CASSANDRA WALKER, FRANCES PARDO,
CHRISTIAN VERDUZCO, COLLIN JOHNSON,
and HANNAH GANSEN, as private attorneys
general,

Plaintiffs,

vs.

FITNESS ALLIANCE, LLC, a California limited
liability company; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: 37-2023-00020191-CU-OE-CTL

**DECLARATION OF FRANCES PARDO IN
SUPPORT OF MOTION TO APPROVE
PAGA SETTLEMENT**

Hearing Date: November 7, 2024
Hearing Time: 9:00 a.m.

Judge: Hon. Joel R. Wohlfeil
Dept.: C-73

Action Filed: May 1, 2023

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1 I, Frances Pardo, declare:

2 1. I am a competent adult, I have personal knowledge of the facts in this declaration, and I
3 am making this declaration on behalf of myself, as a named plaintiff, and in support of the Motion to
4 Approve Private Attorneys General Act Settlement.

5 2. I worked in California as a non-exempt employee of Defendant Fitness Alliance LLC
6 (“Fitness Alliance”) from September of 2022 to February of 2023.

7 3. I retained my attorneys who are experienced in PAGA representative action litigation and
8 claims against employers for violations of the California Labor Code. I have no personal relationship or
9 family ties to my attorneys or any officer of the Court. I am not aware of having any actual or potential
10 conflicts of interest with another PAGA Member in this case nor am I aware of having any actual or
11 potential conflicts of interest with Phoenix Settlement Administrators, the settlement administrator.

12 4. I was subject to Fitness Alliance’s policies and practices that have been alleged as unlawful
13 in the Complaint and the PAGA notice sent to the Labor and Workforce Development Agency. For
14 example, I was forced to work off the clock as I was not paid for any time spent in between training
15 sessions or for preparatory time, and was required to learn and prepare for lessons while at home. I was
16 further forced to work off the clock as I was subject to temperature checks before entering the facility, I
17 was texted and called by my managers while off the clock, and I was required to download applications
18 and utilize email off the clock in order to pick up or give a class. I often did not receive compliant meal
19 and rest breaks, which were frequently late, short, or interrupted. Further, I was not reimbursed for the use
20 of my personal cell phone which was an essential tool necessary to perform my job duties. Additionally,
21 I was occasionally sent home before half of my usual shift transpired without the payment of reporting
22 time penalties during those sessions where clients failed to arrive.

23 5. In bringing this case for myself, the State of California, and the other employees, I
24 understood a lot of work would be required and I was willing to, and did, do the work to keep the case
25 moving forward. For instance, before the complaint was filed I spoke to my attorneys several times and
26 discussed how Defendant implemented its company policies and procedures. I also assisted my attorneys
27 in their investigation into my claims by providing them documents and answering their questions. I
28 reviewed the complaint before it was filed and after it was filed, I was given access to an electronic file

1 sharing program that alerted me via email when important documents were filed so that I could review
2 them and keep up with the developments in the case. I was informed that the Defendant had the right to
3 take my deposition, and that the preparation and deposition itself could take multiple days. Although my
4 deposition was not taken, I feel I would have been adequately prepared and comfortable to give testimony
5 on my experiences.

6 6. My attorneys explained to me the risks and benefits of bringing a representative action. I
7 understood that I took on the risk, both professionally and financially, in pursuing the case as a
8 representative PAGA action.

9 7. A mediation took place on February 23, 2024 with Tripper Ortman, a well-respected and
10 experienced mediator. The mediation resulted in an agreement to settle the action. I communicated with
11 my attorneys regarding the terms of the settlement which was reached between the parties and understood
12 that the recovery in this case was for the benefit of my fellow coworkers, not just for me, and therefore
13 wanted the best possible result to be obtained for the PAGA Members. I reviewed and signed the
14 Memorandum of Understanding on April 8, 2024.

15 8. I have been actively involved with this lawsuit. Although I did not keep time records, I
16 was in regular contact with my attorneys, reviewed court filings, and spent a significant amount of time
17 on the issues presented during the lawsuit and in the settlement process. I estimate that I spent
18 approximately 30-40 hours working on this case up until this point.

19 9. I reviewed the final PAGA Settlement Agreement and I believe it is fair and reasonable
20 given the facts of the case.

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10. As part of the settlement it was necessary for me to sign a general release of claims I may have against the Defendant. I believe the Service Award I have requested provides me with some compensation for this agreed release and is also fair compensation for the service I performed and the risks I undertook.

Executed on Aug 16, 2024, at Frances Pardo.
(city, state)

Frances Pardo