

Brian J. Mankin, Esq. [CSB No. 216228]
brian@lmlfirm.com
Peter J. Carlson, Esq. [CSB No. 295611]
peter@lmlfirm.com
LAUBY, MANKIN & LAUBY LLP
5198 Arlington Avenue, PMB 513
Riverside, CA 92504
Tel: (951) 320-1444 | Fax: (951) 320-1445

Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

ELAINE COOPER, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

EXLSERVICE HOLDINGS, INC., a
Delaware Corporation; OVERLAND
SOLUTIONS, INC., a Delaware
Corporation; OVERLAND SOLUTIONS
LLC, an Entity Unknown;
EXLSERVICE.COM, LLC, a Delaware
Limited Liability Company; and DOES 1
through 20, inclusive;

Defendants.

Case No.: CIVSB2308059
*[Assigned to Hon. Joseph Ortiz, Dept S17, for
all purposes]*

**DECLARATION OF PLAINTIFF ELAINE
COOPER IN SUPPORT OF MOTION
FOR FINAL APPROVAL**

I, Elaine Cooper, state and declare:

1. I am the Plaintiff in the above captioned action and have personal knowledge of all matters stated herein and could competently testify thereto. I make this declaration in support of the motion for preliminary approval of the class action settlement. I believe that the settlement is fair and reasonable and constitutes a fair resolution of the claims alleged.

2. During my employment with Defendants, I thought that were issues with my pay

1 and other aspects of my employment. Because of these issues, I started researching California
2 law and contacted attorneys regarding how I was treated.

3 3. I then contacted my attorneys and understood that I had two options: (1) I could
4 this case as a class action, but I would have to put the interests of all employees ahead of my
5 own, or (2) I could bring my individual case and claims and attempt to maximize an individual
6 recovery. This decision was very difficult because I wanted to maximize my individual
7 recovery, but I also wanted to help everyone else that was wronged by the company. And, if I
8 brought a class action, I was worried that I might get labeled as a whistleblower, which might
9 make it hard to find a job in the future. In the end, I decided that – despite the risks – it was
10 important to bring these claims as a class action to hold the company accountable for how they
11 treated their employees.

12 4. I respectfully request that the Court approve the agreed-upon service award for
13 the following reasons.

14 5. First, I have spent substantial time working on this case – at least 60 hours
15 engaged in activities to benefit the class. I have been an active participant in this litigation and
16 have assisted my attorneys in numerous ways, including helping to explain and discuss the
17 company’s practices and their general practices and procedures, locating and analyzing company
18 documents, and communicating with other class members. These efforts occurred through
19 numerous telephone conferences, letters, emails, and text communications. I also assisted in
20 preparation for mediation (and appeared at mediation as well) and helped obtain a positive result
21 for the class.

22 6. Second, I respectfully request that the Court approve the agreed-upon service
23 award because I agreed to set aside my personal interests and to put the interests of the class
24 ahead of my own. In doing so, and by successfully bringing this case as a class action, I helped to
25 obtain a highly beneficial settlement for the class members.

26 7. Third, by bringing this case as a class action, I undertook significant risks and
27 stresses at a high emotional cost without any guarantee of success. For example, filing this
28 lawsuit and being a whistle blower was stressful on a day-to-day basis as I have constantly

1 worried about the risk that this case could impact my ability to find future jobs. And this
2 stress/risk lasted for the entire case, and I'm worried it may make it hard to find a job in the
3 future since the case information is all available online.

4 8. Fourth, bringing this case also came with a major financial risk because, if I lost
5 the case, I would be required to pay the company's costs, which could be over \$10,000, and there
6 was a chance they could try to make me pay their attorneys' fees as well.

7 9. Therefore, I respectfully request that the Court award the full requested service
8 award since that amount is justified based on the facts above.

9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct. Executed on Jan 14, 2025, at Hesperia, California.

11 By: 
12 Elaine Cooper (Jan 14, 2025 19:16 PST)
13 Elaine Cooper
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28