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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - SPRING STREET COURTHOUSE**

LILIANA GODINA, individually, and on
behalf of all persons similarly situated;

Plaintiffs,

vs.

KAISER FOUNDATION HOSPITALS, a
California non-profit corporation, and DOES
1 through 50, inclusive,

Defendants

Case No. 23STCV25366

*[Assigned for all purposes to Honorable David S.
Cunningham III, Dept. 11]*

CLASS ACTION

**DECLARATION OF BERT MERCADO IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION**

Hearing Date: May 5, 2025
Time: 9:30 a.m.
Dept.: 11

Complaint Filed: October 17, 2023
Trial Date: None Set

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DECLARATION OF BERT MERCADO

I, Bert Mercado, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the proposed class representatives in the above-captioned case, and I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I began working for Defendant on or about May 5, 2008 and still currently work for Defendant as a non-exempt hourly Night Charge Nurse and Circulating Nurse. I have always worked at Defendant's Los Angeles Hospital located at 4867 W Sunset Blvd, Los Angeles, CA 90027. I work the nightshift 3 nights at the Los Angeles Hospital. I contacted my attorneys, Haig B. Kazandjian Lawyers APC and spoke with Haig B. Kazandjian; I consulted with the attorneys to discuss my situation, representative and class action lawsuits in general, and what it meant to be a class representative. In my capacity as an employee of Defendant, I felt that I was in a unique position to offer insight as to Defendant's wage and hour practices.

3. As the Plaintiff in this case, my decision to join the case was not taken lightly as I understood that I assumed considerable potential reputational and financial risk in bringing the lawsuit. However, I wanted to ensure that Defendant paid me and other employees what was owed to us and that Defendants stopped its practice of not properly compensating its employees for all hours worked and non-compliant meal and rest breaks and of failing to pay its employees for overtime.

4. Since becoming involved in this case, I have spent over thirty (30) hours meeting with my attorneys concerning the case and fulfilling my responsibilities as a class representative, which included both formal and informal discovery and gathering documents concerning my employment with Defendants, reviewing documents with my attorneys and answering their questions, speaking with other current and former employees of Defendant's, answering questions and providing guidance regarding the duties of hourly, non-exempt employees, and helping develop a strategy as to what

documents to obtain from Defendant. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained from speaking with other employees.

5. Throughout the case, I was available to answer any questions my attorneys had, and I was available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information as I could. I also reviewed Defendant's responses and production in informal discovery with my counsel. I spent additional hours speaking with my attorneys about the case, identifying potential witnesses, providing my attorneys with documents and information for the purposes of discovery, and also describing documents, policies, practices, and procedures of Defendant's.

6. As far as the settlement is concerned, I was available to review documents and answer any questions my attorneys had. I spent extensive time assisting my attorneys to prepare for both private mediations in this matter and to review the documents and data Defendant produced in connection to mediations. I spent additional hours reviewing the settlement agreement, reviewing and discussing the contents of the Settlement Agreement with my attorneys and asking questions and discussing the potential settlement with my attorneys before signing the settlement agreement.

7. I believe that I have done everything that my attorneys have asked of me and have tried, to the best of my ability, to represent the class. I understand, and willingly accept my fiduciary obligations to prosecute this case on behalf of the employees that make up the absent class members. I think my efforts helped to get the result obtained in this case, and as a class representative, I respectfully request that the Court award me a service award payment in the amount of ten thousand dollars (\$10,000.00) for my active participation in this case. Taking into consideration the time that I have dedicated to this case, I believe that this amount is reasonable.

8. I am not related to anyone associated with the Haig B. Kazandjian Lawyers, APC and Bluementhal Nordrehaug Bhowmik De Blouw LLP (BNBD).

9. I understand that Haig B. Kazandjian Lawyers, APC and Bluementhal Nordrehaug Bhowmik De Blouw LLP will share the attorney fees in this action splitting attorney fees 60/40. I agreed to this in writing. I understand that the amount of attorney's fees will not increase as a result of this fee sharing.

10. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive is whatever amount the Court awards as an incentive payment, as well as my share of the settlement fund as a class member.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 10th day of January, 2025, at Philippines



Bert Mercado