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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN JOAQUIN

DJUANA SHANELLA HALE and
SHANNON GILBERT, individually, and on
behalf of other similarly situated employees
and aggrieved employees pursuant to the
California Private Attorneys General Act, and
GEORGE HERNANDEZ, individually, and
on behalf of other similarly situated
employees,

Plaintiffs,

vs.

WELBE HEALTH, LLC, a Delaware Limited
Liability Company; WELBE HEALTH
PACE, LLC, a Delaware Limited Liability
Company; WELBE HEALTH BAY AREA
PACE, LLC, a Delaware Limited Liability
Company; WELBEHEALTH INLAND
EMPIRE PACE, LLC, a Delaware Limited
Liability Company; WELBE HEALTH SAN
BERNARDINO PACE, LLC, a Delaware
Limited Liability Company; LA COAST
PACE, LLC, a Delaware Limited Liability
Company; WELBE HOUSECALLS, LLC, a
Delaware Limited Liability Company;
SEQUOIA PACE, LLC, a Delaware Limited

Case No. STK-CV-UOE-2023-0006866

Honorable Robert T. Waters
Department 11B

**DECLARATION OF PLAINTIFF
SHANNON GILBERT IN SUPPORT
OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: January 16, 2025
January 23, 2025
January 29, 2025
January 31, 2025
February 5, 2025

Time: 9:00 a.m.
Dept: 11B

Complaint Filed: July 5, 2023
FAC Filed: September 23, 2024
Trial Date: Not Set

1 SEQUOIA PACE, LLC, a Delaware Limited
2 Liability Company; WELBE HEALTH HC,
3 NOCAL, LLC, a Delaware Limited Liability
4 Company; WELBE HEALTH HC SOCAL,
5 LLC, a Delaware Limited Liability Company;
6 STOCKTON PACE, LLC, a Delaware
7 Limited Liability Company; and DOES 1
8 through 25, inclusive,

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Defendants.

DECLARATION OF SHANNON GILBERT

I, Shannon Gilbert, declare and state as follows:

1. I am over the age of eighteen (18) and a resident of the State of California. I am one of the named plaintiffs in the above-captioned case. 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 was employed by one or more of the Defendants Welbe Health, LLC; Welbe Health PACE, LLC; Welbe Health Bay Area PACE, LLC; WelbeHealth Inland Empire PACE, LLC; Welbe Health San Bernardino PACE, LLC; LA Coast PACE, LLC; Welbe Housecalls, LLC; Sequoia PACE, LLC; Welbe Health HC, NoCal, LLC; Welbe Health HC SoCal, LLC; and Stockton PACE, LLC (collectively, "Welbe"), from approximately May 2022 to September 2023 as a non-exempt, hourly-paid Quality Improvement Coordinator, based out of 1220 East 4th Street, Long Beach, California 90802.

3. Because I thought the practices at Welbe may not be lawful, I decided to seek legal advice about my work experiences at Welbe and about filing a lawsuit to obtain relief for my grievances. I wanted to take steps to make sure Welbe were held accountable for not properly compensating their employees for all hours worked and for non-compliant meal and rest breaks. After speaking with attorneys, I also investigated class and representative action lawsuits on my own. Thereafter, I further consulted with attorneys about my situation, class actions, representative action lawsuits under the Private Attorneys General Act ("PAGA"), and what it meant to bring a class and PAGA action so that I understood what I was considering doing.

4. I have regularly conferred with my attorneys regarding this matter as part of my responsibilities as a class and PAGA representative. This process included searching for and providing documents concerning my employment with Welbe, answering any questions my attorneys had about the documents, providing information regarding the company's practices and the duties of other hourly-paid and/or non-exempt employees, and helping my attorneys develop a strategy as to what additional documents and information they could seek to obtain from Welbe.

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1 5. I routinely checked in with my attorneys and their staff to make sure that they had all
2 of my most current information and any additional information that I had obtained. I made myself
3 available to answer any questions my attorneys had about Welbe's practices and treatment of their
4 employees whenever they needed me. I responded to them as quickly as possible and gave them as
5 much information as I could.

6 6. I understood that in the event this matter did not settle and proceeded with trial, I would
7 need to be in court to participate in the trial. I was ready to perform that role, as well as fulfill any
8 responsibilities that are necessary for this lawsuit.

9 7. I know that I took a sizeable risk by bringing and pursuing this lawsuit for several
10 reasons. First, I understood that if I lost, I would potentially have to pay the costs in the lawsuit. I
11 also understood there was a risk of losing any job and/or income due to the time that I would have to
12 spend fulfilling my responsibilities in this matter, including having to attend the trial, if needed. Most
13 importantly, I believe that by pursuing this case, I have taken a significant risk because future
14 employers can easily find out that I sued my prior employer, and that may negatively impact my ability
15 to find employment within this industry – and even outside of it – in the future. In contrast, the other
16 employees who will be receiving money from this lawsuit did not have to file a claim or take the risk
17 that I took in bringing this action.

18 8. I reviewed the settlement agreement, discussed the settlement agreement with my
19 attorneys, and asked them questions before signing it.

20 9. I believe that I have done everything that my attorneys have asked of me and tried, to
21 the best of my ability, to seek relief for the Class, the PAGA Members, and the State of California. I
22 have spent approximately 40-45 hours participating in this case as described above. I believe my
23 efforts helped get the result obtained in this case.

24 10. I understand that any resolution of this lawsuit on a class wide basis is subject to court
25 approval, and any settlement must be designed in the best interest of the Class as a whole. At all times
26 throughout the course of this litigation I have considered the interests of the Class and put them before
27 my own personal interests.

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11. I understand that incentive or enhancement awards are discretionary and intended to compensate named plaintiffs for: the quality and quantity of the work done on behalf of the class and other employees, the financial and/or reputational risk undertaken in bringing the class and PAGA action, and an acknowledgment of the benefits resulting from the representative's actions. I believe my work in this matter is meritorious on these points for the reasons set forth above.

12. I respectfully request that the Court approve and award me an Enhancement Award in the amount of \$10,000.00 for my efforts and active participation in the case and for the broader, general release of all claims that I have or may have against Welbe in connection with the settlement. Taking into consideration the time that I dedicated to this case, I believe that this amount is reasonable.

13. I am not related to anyone associated with Blackstone Law, APC.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 11/20/2024, at Hemet, California.

Handwritten signature

Shannon Gilbert