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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MARIN

CHRISTINA AWAD, on behalf of the State
of California, as a private attorney general,

Plaintiffs,

vs.

PRO UNLIMITED, INC., a Corporation;
BIOMARIN PHARMACEUTICAL INC.; a
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. CIV2300419

**DECLARATION OF CHRISTINA
AWAD IN SUPPORT OF MOTION TO
APPROVE PAGA SETTLEMENT**

Hearing Date: February 5, 2025

Hearing Time: 1:30 PM

Judge: Honorable Sheila S. Lichtblau
Dept: H

Date Filed: February 15, 2023

Trial Date: Not set

1 I, Christina Awad, declare as follows:

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
4 Motion to Approve Private Attorneys General Act Settlement.

5 2. I worked for the defendants (“Biomarin and Pro Unlimited”) in California as a non-
6 exempt employee from November 2021 to November 2022.

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
9 relationship or family ties to my attorneys or any officer of the Court. I am not aware of having
10 any actual or potential conflicts of interest with another aggrieved employee in this case nor am I
11 aware of having any actual or potential conflicts of interest with CPT Group, the settlement
12 administrator.

13 4. I was subject to Biomarin’s and Pro Unlimited’s policies and practices that have been
14 alleged as unlawful in the Complaint and the PAGA notice sent to the Labor and Workforce
15 Development Agency. For example, I was not paid wages for off the clock work, such as the
16 time I spent donning and doffing safety apparel prior to my shift so I could be ready to work with
17 dangerous and sensitive lab equipment. I also had to work off the clock, without payment, as it
18 relates to using my personal cell phone during off hours to accomplish work tasks. I was also not
19 reimbursed any reasonable expenses I incurred for using my cell phone for work-related
20 purposes. As another example, I often did not receive compliant meal and rest breaks which were
21 late, interrupted or missed entirely. I also did not receive all the meal and rest break premiums I
22 was entitled to and when I did receive premium payments they were often an incorrect amount.

23 5. In bringing this case for myself, the State of California, and the other employees, I
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1 understood a lot of work would be required and I was willing to, and did, do the work to keep the
2 case moving forward. For instance, before the complaint was filed I spoke to my attorneys
3 several times and discussed how Biomarin and Pro Unlimited implemented their company
4 policies and procedures. I also assisted my attorneys in their investigation into my claims by
5 providing them documents and answering their questions. I reviewed the complaint before it
6 was filed and after it was filed I was given access to an electronic file sharing program that
7 alerted me via email when important documents were filed so that I could review them and keep
8 up with the developments in the case. I was informed that Biomarin and Pro Unlimited had the
9 right to take my deposition, and that the preparation and deposition itself could take multiple
10 days. Although my deposition was not taken, I feel I would have been adequately prepared and
11 comfortable to give testimony on my experiences.
12

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

17 7. A mediation took place on September 24, 2024 with Hon. Brian C. Walsh (Ret.), a well-
18 respected and experienced mediator. The mediation resulted in an agreement to settle the action.
19 I communicated with my attorneys regarding the terms of the settlement which was reached
20 between the parties and understood that the recovery in this case was for the benefit of my fellow
21 coworkers, not just for me, and therefore wanted the best possible result to be obtained for the
22 aggrieved employees.
23

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

2 9. I reviewed the final PAGA Settlement Agreement and I believe it is fair and reasonable
3 given the facts of the case.
4

5 I declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct.

7 Executed on 01/03/2025, at Vallejo, Ca.
8 (city, state)

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10 Christina Awad (Jan 3, 2025 13:57 PST)
11 Christina Awad
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