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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA**

DIANA RODRIGUEZ, individually, and on
behalf of other members of the general public
similarly situated and on behalf of other
aggrieved employees pursuant to the
California Private Attorneys General Act;

Plaintiff,

vs.

VISITING NURSE & HOSPICE CARE, an
unknown business entity; VISITING NURSE
& HOSPICE CARE OF SANTA
BARBARA, a California corporation; VNA
HEALTH, an unknown business entity;
PERSONAL CARE SERVICES, an
unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 22CV05104

Honorable Donna Geck
Department 4

CLASS ACTION

**DECLARATION OF DIANA RODRIGUEZ
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Hearing Date: February 6, 2026
Hearing Time: 10:00 a.m.
Department: 4

Complaint Filed:
FAC Filed: December 21, 2021
Trial Date: February 6, 2025
None Set

DECLARATION OF DIANA RODRIGUEZ

I, Diana Rodriguez, hereby declare as follows:

1. I am over 18 years of age and a resident of Arizona. I am the named plaintiff 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 Visiting Nurse & Hospice Care of Santa Barbara (“Defendant”) from approximately April 2018 to approximately June 2020 as an hourly-paid, non-exempt employee. I decided to seek legal advice about my work experiences with Defendant and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Defendant was held accountable for not properly compensating their employees for all hours worked, non-compliant meal and rest breaks, and failure to reimburse expenses. I consulted with the attorneys and staff at Lawyers *for* Justice, PC discussing my situation, complex wage-and-hour class actions in general, and what it meant to be a named plaintiff, class representative, and PAGA representative. Prior to commencing the case, I was informed of and came to understand what my duties and responsibilities would be as a plaintiff, and also, if class certification were to be obtained and if I were to be appointed as a representative of the class, what my duties and responsibilities would be in that event.

3. Throughout the case, I have spent time speaking with my attorneys regarding the case and fulfilling my responsibilities as a class representative and PAGA representative, which included gathering documents concerning my employment with Defendant, reviewing documents with my attorneys, answering questions, providing guidance regarding the duties of other hourly-paid non-exempt employees, and helping develop a strategy as to what documents and information 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.

4. Throughout this matter, I was available to answer any questions my attorneys had, and 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 and identified as many documents as I could. I spent time speaking with my attorneys about the case, identifying potential witnesses,

1 providing my attorneys with documents and information concerning the case, and also describing
2 policies, practices, and procedures of Defendant.

3 5. As far as the settlement is concerned, I was available to review documents and
4 answer any questions my attorneys had. I reviewed the Class Action and PAGA Settlement and
5 Release Agreement discussed the questions I had regarding the potential settlement with my
6 attorneys before signing the settlement papers.

7 6. I understand that a settlement has been reached in my case and what my duties and
8 responsibilities are as a class. For example, I am aware that if the settlement is granted preliminary
9 approval, the Court will certify a class for settlement purposes, and likely appoint me as the
10 representative of the class and my attorneys as counsel for the class. I also understand that my
11 duties will include checking in on, monitoring, and conferring with my attorneys to facilitate the
12 notice and settlement administration process, and to provide information that the Court needs in
13 order to assess whether the settlement is fair, reasonable, and adequate. Further, if any individuals
14 who are potential class members contact me, I will take steps to have them referred to the Court-
15 appointed settlement administrator so that these individuals may receive the necessary information
16 and notice they may be eligible to receive in connection with the settlement and contemplated final
17 approval hearing.

18 7. I believe that I have done everything that my attorneys have asked of me and have
19 tried, to the best of my ability, to represent the class and pursue relief on behalf of other class
20 members and the State of California with respect to aggrieved employees. I have volunteered to
21 represent and champion the interests of many other people with similar claims and injuries because
22 of the importance of the case and the necessity that all class members and aggrieved employees
23 benefit from the lawsuit equally. I understand that as a proposed class representative, and if
24 formally appointed as a class representative, I have and continue to represent the interests of all
25 members of the class in litigation to recover relief for the class. As an hourly-paid non-exempt
26 employee of Defendant who was subject to the same policies, practices, and procedures as the
27 other members of the class, I have claims that are typical of those of the class. I consider the
28 interests of the class just as I would consider my own interests. I understand that I may need to put

1 the interests of the class before my own interests, although I have no reason to believe that my
2 interests are in conflict with the interests of the class. I understand that any resolution of the
3 lawsuit is subject to court approval and must be in the best interest of the class and aggrieved
4 employees as a whole. I have participated, and continue to participate, in the lawsuit as necessary.
5 I have actively followed and monitored the progress of the lawsuit, and have taken steps to make
6 sure that the litigation is prosecuted by the skilled and effective attorneys that I have retained.

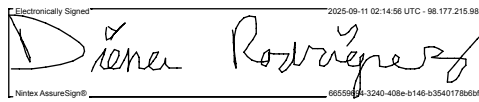
7 8. I think my efforts helped to get the result obtained in this matter, and as a potential
8 class and PAGA representative, I respectfully request that the Court award me an enhancement
9 award for my efforts in pursuing and participating in this matter, as well as my broader release of
10 claims. Taking into consideration the time that I have dedicated to this matter, I believe that this
11 amount is reasonable.

12 9. I am not related to anyone associated with Lawyers *for* Justice, PC.

13 10. I have not entered into any undisclosed agreements, nor have I received any
14 undisclosed compensation in this matter. The only compensation I will receive is whatever amount
15 the Court awards as a Class Representative Service Payment, as well as my share of the settlement
16 as a class member and aggrieved employee.

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

19 Executed on this 10 day of September 2025, at Scottsdale, Arizona.

20
21  Electronically Signed: 2025-09-11 02:14:56 UTC - 98.177.215.98
Nintex AssureSign® 6555b0a-3240-408e-b146-b354d17b60f

22 Diana Rodriguez