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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

LESLY ARREGUIN and GIAVANNA
PEÑA, individually, and on behalf of
Aggrieved Employees pursuant to the
California Private Attorneys General Act;

Plaintiffs,

vs.

INTERCARE THERAPY, INC.; and DOES
1 through 25, inclusive,

Defendants.

Case No. 23STCV27972

Honorable Christopher K. Lui
Dept.: 76

**DECLARATION OF GIAVANNA PEÑA IN
SUPPORT OF MOTION FOR APPROVAL
OF PAGA SETTLEMENT**

Complaint: November 15, 2023
Trial Date: Not Set

DECLARATION OF GIANVANNA PEÑA

I, Giavanna Peña, declare and state as follows:

1. I am over the age of eighteen (18) and I am a resident of the State of California. 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 am one of the named plaintiffs in this action.

3. I was employed by Defendant Intercare Therapy, Inc. ("Defendant") as a behavior interventionist from approximately August 2022 through approximately November 2022. I have always been an hourly-paid, non-exempt employee during my employment with Defendant.

4. I contacted Blackstone Law, APC and spoke with attorneys there. I wanted to take steps to make sure Defendant was held accountable for not properly compensating its employees for all hours worked, not providing employees with lawful meal and rest breaks, not reimbursing employees for business expenses, and other related violations. After speaking with the attorneys at Blackstone, I educated myself on class and representative action lawsuits to gain a better understanding of them. Thereafter, I further consulted with the attorneys at Blackstone Law, APC about my experiences and what it meant to bring a class action and an action under the California Labor Code Private Attorneys General Act of 2004 ("PAGA").

5. I have regularly communicated with my attorneys regarding the case, and in order to fulfil my responsibilities as a PAGA representative. I have searched for and provided documents concerning my employment with Defendant, reviewed documents with my attorneys and answered their questions, provided information and guidance regarding the duties of other hourly-paid, non-exempt employees, and helped determine what other documents and information my attorneys could obtain from Defendant. I routinely checked in with my attorneys and their staff to make sure that they had all of my current information so that they could always reach me, and to provide any additional information that I had obtained.

6. I was always available to answer any questions my attorneys had and 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 described Defendant's policies, practices, and procedures. I

1 also contacted and referred potential witnesses to my attorneys, and helped my attorneys prepare for
2 and participate in mediation.

3 7. I reviewed the settlement agreement and discussed it with my attorneys before I signed
4 it.

5 8. I also understood that if this matter had proceeded to trial, I would need to come to
6 court and participate in the trial. I was prepared to do that.

7 9. I am aware that I took a risk by filing this lawsuit because if we lost, I could potentially
8 have to pay the costs incurred in the lawsuit. I also risked losing income for the time that I would have
9 to spend fulfilling my ongoing responsibilities including having to attend the trial. I also believe I have
10 taken a risk by filing this lawsuit because potential future employers can find out that I sued my
11 employer, and that may negatively impact my ability to be hired for a job in the future. In contrast, the
12 other employees who will be receiving money from this lawsuit did not have to file any claim or
13 lawsuit, or take the risks that I took in bringing this action.

14 10. I believe that I have done everything that my attorneys have asked of me and tried, to
15 the best of my ability, to seek relief for the aggrieved employees and the State of California. I think
16 my efforts helped to get the result obtained in this case.

17 11. I understand that any resolution of this lawsuit on a representative basis is subject to
18 court approval. I have at all times throughout the course of this litigation, considered the interests of
19 the other aggrieved employees above my own personal interests.

20 12. To date, I estimate I have spent approximately 39 to 42 hours on this case. I have
21 worked to assist my attorneys in this matter for over a year, as the Defendant has actively fought this
22 case.

23 13. I respectfully request that the Court approve and award me the requested service award
24 of up to the amount of \$7,500.00 for my efforts and active participation in the case. Taking into
25 consideration the general release I am giving and the time and effort that I have dedicated to this case,
26 I believe that this amount is reasonable.

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14. 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 05/23/2025 at Monrovia, California

Cf

Giavanna Peña