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 on behalf of herself and others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF PACER**

MARY LOU KENNEDY, an individual on
 behalf of herself and all others similarly
 situated,

Plaintiff,

vs.

CHAPA-DE INDIAN HEALTH
 PROGRAM, INC., dba CHAPA-DE
 INDIAN HEALTH, a California Non-Profit
 Corporation; and DOES 1 through 50,
 inclusive,

Defendants.

Case No.: S-CV-0051854

CLASS ACTION

Assigned for All Purposes To:
 Hon. Alan V. Pineschi

**DECLARATION OF MARY LOU
 KENNEDY IN SUPPORT OF MOTION
 FOR PRELIMINARY APPROVAL OF THE
 CLASS ACTION SETTLEMENT**

Date: March 13, 2025
 Time: 8:30 am
 Dept: 3

DECLARATION OF MARY LOU KENNEDY

I, MARY LOU KENNEDY, declare as follows:

1. I am over the age of eighteen and I submit this Declaration in support of the Motion for Preliminary Approval of the Class Action Settlement in this matter. I have personal knowledge of the facts herein, and if called as a witness I could and would competently testify to them.

2. I am currently a resident of Anchorage, Alaska. I worked for Chapa-De Indian Health Program dba Chapa-De Indian Health (Defendant) as a nonexempt employee from approximately May 2023 to June 2023. I retained the law firm of D.Law, Inc. to represent me in this class action lawsuit against Defendant for the alleged practices and violations as stated in the operative Complaint in this action.

3. I believe that I am similarly situated to all other Class Members who worked for Defendant during the Class Period and who were similarly affected by Defendant's policies and practices regarding payment of minimum wages and overtime, meal periods, rest periods, provision of accurate wage statements, final payment of wages to terminated or resigned employees, reimbursement of business expenses, alleged violations of the unfair competition law, and alleged violations under the Private Attorney General's Act. I believe my claims against Defendant are typical of the other Class Members because I believe the claims asserted in the operative Complaint are also shared by the other Class Members.

4. I understand that I am asking to be approved to serve as the Class Representative for the Settlement Class in this action, which I understand is defined as follows: all persons employed by Defendant in California and classified as non-exempt hourly employee who worked for Defendant at any time between December 18, 2019 to September 23, 2024. I also understand there are approximately 453 similarly situated employees that satisfy the Class definition. I also understand that I am serving as the representative Plaintiff on behalf of other similarly situated aggrieved employees in California in connection with our class action claims and claims under Labor Code §§ 2698 *et seq.*, the Private Attorneys General Act ("PAGA") for penalties.

5. Additionally, I believe that my interests have been and continue to be aligned with

1 all Class Members, and I have been and am willing to continue to pursue the Class Members'
2 claims vigorously on our collective behalf. As a result, I firmly believe that I do not have any
3 interests that are adverse to the interests of the Class Members.

4 6. As a Class Representative, I believe I have maintained the best interests of the
5 Class Members. I have actively participated in this litigation and have been continuously apprised
6 of the progress of the case. I have provided documents and evidence to Class Counsel in support
7 of the class claims. I have also invested significant time and efforts in performing my duties on
8 behalf of the Class, including preparing for settlement negotiations and speaking to witnesses. I
9 devoted numerous hours of my time to all of the above tasks to vigorously represent the interests
10 of the Settlement Class.

11 7. I believe the Settlement obtained on behalf of the Settlement Class is fair and
12 reasonable in view of the facts, claims and the risk of going through further litigation in this case.

13 8. I have not yet received any consideration or promises that are different than any of
14 the other Class Members. In my opinion, the requested enhancement award of \$5,000.00 is fair
15 and reasonable given the risks I have taken, the tasks I have performed, the time I have invested,
16 and the real benefit which the Class Members will receive from this class action. I view this
17 settlement as fair and reasonable to all Class Members.

18 9. I freely chose to champion the interests of the Class and freely accepted the risks
19 of being a Class Representative in a class action that could stigmatize me and, although unknown
20 at this time, may affect my future employability in this industry or any other industry. I also do
21 not believe my decision to accept the Settlement and proposed \$5,000.00 enhancement award
22 compromised my duty to protect the interest of the Class. I also understand the \$5,000.00
23 enhancement award is subject to the Court's approval and discretion. Furthermore, although there
24 is no record of such activity, I accepted the real risk of potentially being liable for the opposing
25 parties' costs and attorneys' fees if I were unsuccessful in this lawsuit.

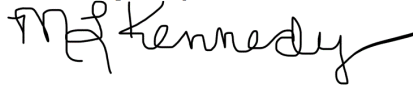
26 10. I am also aware of the fee splitting agreements between Class Counsel and I have
27 signed an acknowledgment pursuant regarding this.

28 I declare under penalty of perjury under the laws of the State of California that the

1 foregoing is true and correct.

2 Executed this 24th day of January 2025 at Anchorage, Alaska.

DocuSigned by:

3  Kennedy

4 MARY LOU KENNEDY