

1 Lonnie D. Giamela (SBN 228435)
E-Mail: lgiamela@fisherphillips.com
2 Harrison Thorne (SBN 313295)
E-Mail: hthorne@fisherphillips.com
3 FISHER & PHILLIPS LLP
4 444 South Flower Street, Suite 1500
Los Angeles, California 90071
Telephone: (213) 330-4500
5 Facsimile: (213) 330-4501

6 Attorneys for Defendants Liberty Utilities (Park Water)
Corp., Liberty Utilities (Apple Valley Ranchos Water)
7 Corp., and Liberty Utilities (CalPeco Electric) LLC

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES

11 KARINA A. SANTOYO, as an individual
and on behalf of all employees similarly
12 situated,

13 Plaintiff,

14 v.

15 A P R CONSULTING, INC., a California
Corporation; LIBERTY UTILITIES
16 (PARK WATER) CORP., a California
Corporation; LIBERTY UTILITIES
17 (APPLE VALLEY RANCHOS WATER)
CORP., a California Corporation;
18 LIBERTY UTILITIES (CALPECO
ELECTRIC) LLC, a California LLC; and
19 DOES 1 through 50, inclusive,

20 Defendants.
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CASE NO.: 24STCV04117
[Unlimited Jurisdiction]

**SUPPLEMENTAL DECLARATION OF
HARRISON THORNE IN SUPPORT OF
PLAINTIFF'S MOTION FOR APPROVAL
OF THE PAGA SETTLEMENT**

*Assigned for all purposes to the
Honorable Carolyn B. Kuhl, Dept. 12*

Complaint Filed: 2/20/2024
Trial Date: Not Set

1 I, Harrison M. Thorne, hereby declare and state as follows:

2 1. I am an attorney at law duly licensed to practice before all courts in the State of
3 California. I am Of Counsel with Fisher & Phillips LLP, counsel of record for LIBERTY
4 UTILITIES (PARK WATER) CORP. (“Park Water”), LIBERTY UTILITIES (APPLE
5 VALLEY RANCHOS WATER) CORP. (“Apple Valley”), and LIBERTY UTILITIES
6 (CALPECO ELECTRIC) LLC (“CalPeco”) (collectively “Defendants”). I submit this
7 Supplemental Declaration in support of Plaintiff’s Motion for an Order Approving Settlement of
8 Claims Brought Pursuant to the Private Attorneys General Act of 2004 (“Motion”). I assert the
9 facts set forth herein based on personal knowledge and, if called as a witness, I could and would
10 competently testify thereto.

11 2. Plaintiff and Defendants engaged in private mediation with Kevin Barnes, Esq.
12 on December 9, 2024.

13 3. During mediation, the Parties agreed to a resolution based on the representation
14 that allegedly aggrieved employees worked 12,073 pay periods between February 19, 2023 and
15 November 19, 2024. The Parties specifically agreed to a PAGA Period of February 19, 2023
16 through February 7, 2025, with an escalator clause that would be triggered should pay periods
17 exceed 12,073 by more than 10%.

18 4. Following mediation, Park Water, Apple Valley, and CalPeco (the “Liberty
19 Defendants”) determined that the census list utilized to calculate the number of pay periods was
20 overinclusive insofar as it inadvertently included exempt employees in addition to nonexempt
21 employees.

22 5. Upon making this discovery, counsel for all Parties agreed to extend the PAGA
23 Period, from February 7, 2025 to May 29, 2025.

24 6. The number of pay periods worked by all allegedly aggrieved employees between
25 February 19, 2023 an May 29, 2025 is 9,675.

26 7. The Parties are submitting a revised Proposed Order and Proposed Judgment that
27 extends the PAGA Period from February 7, 2025 to May 29, 2025. The Parties agree that this
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1 extension will not prejudice any party or nonparty, as the number of pay periods is still below
2 the threshold or triggering the escalator clause. The Parties request that the PAGA Approval
3 Hearing stay on calendar as previously scheduled.

4 I declare under penalty of perjury, under the laws of the State of California, that the
5 foregoing is true and correct. Executed on May 22, 2025, at Los Angeles, California.



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Harrison M. Thorne

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES

On the date indicated below, I served the document described as: **SUPPLEMENTAL DECLARATION OF HARRISON THORNE IN SUPPORT OF PLAINTIFF'S MOTION FOR APPROVAL OF THE PAGA SETTLEMENT** on the interested parties in this action by sending a true copy thereof to interested parties as follows and as stated on the attached service list:

[✓] **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service **CASEANYWHERE**. I did not receive an error message.

Lilit Tunyan

Fraser