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Attorneys for Plaintiff SHAHISTA KHAN

on behalf of herself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

SHAHISTA KHAN, an individual, on behalf
of herself and others similarly situated,

Plaintiff,

vs.

BAY AREA COMMUNITY HEALTH, a
California nonprofit corporation; and DOES 1
through 50, inclusive,

Defendants.

CLASS ACTION

Case No.: 24CV063415

Assigned for All Purposes To:

Hon. Somnath Raj Chatterjee

Dept.: 21

**DECLARATION OF SHAHISTA KHAN
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: May 19, 2026

Time: 2:30 p.m.

Dept.: 21

Reservation No.: 121150867637

Complaint filed: February 9, 2024

FAC filed: April 15, 2024

SAC filed: August 5, 2024

Trial Date: Not set

DECLARATION OF SHAHISTA KHAN

I, Shahista Khan, declare:

1. I am over the age of eighteen and submit this Declaration in support of the Motion for Preliminary Approval of the Class Action and PAGA Settlement Agreement (“Settlement Agreement”) entered between me, on behalf of myself and other similarly situated, the public, and aggrieved employees, and Defendant BAY AREA COMMUNITY HEALTH, (“Defendant”). I understand that I am submitting this Declaration in support of preliminary and final Settlement approval in this action and my requested Class Representative Service Payment of up to \$15,000.00. 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 California. I began my employment with Defendant in approximately November 2021 and worked for Defendant during the period covered by this lawsuit. During my employment with Defendant, I was employed as an hourly paid Medical Assistant employee. My hourly rate of pay was \$33.21, and my job duties included overseeing the daily activities of Medical Assistants, addressing staff concerns, providing employee coverage as needed, completing charting, traveling between locations, and scheduling staff. From my experience, and the documents and information I have reviewed from this action, I believe Defendant’s policies are or were uniformly applied to all employees of Defendant in California. I believe I have been similarly situated with the other Class Members as they have been defined in the Settlement Agreement.

3. I understand that I am asking to be approved to serve as the Class Representative for the Class in this action, which I understand is defined all current and former non-exempt employees who worked for Defendant in California at any time during the Class Period who did not sign a release or severance agreement during the Class Period. I also understand that I am serving as the representative Plaintiff on behalf of other similarly situated and aggrieved employees in California in connection with the class action and representative claims.

4. I hired the law firm of D.Law, Inc. to represent me in this class action lawsuit against Defendants for the alleged practices and violations as now stated in the Second Amended

1 Complaint (“Operative Complaint”).

2 5. The Operative Complaint resulted from multiple conversations I had with my
3 attorneys and their staff regarding Defendant’s policies and practices. I also understand that the
4 Operative Complaint has alleged, among other things, that due to the volume of work Defendant
5 required from me and other Class Members, we were not always provided with duty-free meal and
6 rest breaks. I understand that in this lawsuit, we have alleged that Defendant failed to pay us for all
7 our hours worked or failed to pay them at the correct overtime rate. I also understand we have
8 alleged that Defendant failed to provide us with all meal periods and rest breaks as required under
9 California law and did not reimburse us for all expenses we incurred for things such as using our
10 personal cell phones and mileage expenses.

11 6. I believe that I am similarly situated to all other Class Members and aggrieved
12 employees who worked for Defendant during the Class Period and who were similarly affected by
13 Defendant’s policies and practices. I believe my claims against Defendant are typical of the other
14 Class Members, as the claims asserted in the Operative Complaint and are also shared by the other
15 Class Members. I believe me and the Class Members were all subject to the same employment
16 practices related to the claims alleged in this case.

17 7. From the beginning of my involvement in this case and prior to filing the initial
18 complaint, my attorneys informed me about what it meant to be a Class Representative. I
19 understood that I was expected to represent the other employees’ interests, placing them ahead of
20 my own. I signed an acknowledgment of my duties as a Class Representative at the outset of this
21 action. I understood and believed the way that Defendant failed to pay me for my hours worked
22 was the same as the way it failed to pay all other employees who worked for Defendant. I am
23 happy that I was able to bring a lawsuit as a Class Representative to try and obtain the unpaid
24 wages and other compensation for myself, but also for my fellow employees like me who had not
25 been paid for all their hours worked or provided all their required breaks.

26 8. I believe that my interests have been and continue to be aligned with all Class
27 Members, and I have been and am willing to continue to pursue the Class Members’ claims
28 vigorously on our collective behalf. As a result, I believe I do not have any interests that are

adverse to the interests of the Class Members.

9. I understood it was my responsibility to actively participate in the lawsuit to safeguard the interests of other Class Members and to ensure that my interests were not in conflict with those of the other employees. I did so to the best of my ability, and I believe I have maintained the best interests of the Class Members. I have actively participated in this litigation and have been updated on the progress of the case. I have provided documents to Class Counsel in support of the class claims and spent many hours discussing my claims and information regarding my employment by Defendant. I have also invested significant time and efforts in performing my duties on behalf of the Class, including during the initial complaint drafting process, in response to informal and formal discovery before mediation, speaking with my attorneys about other witnesses and answering questions in connection with the mediation and ongoing settlement negotiations, and now throughout the preliminary and final settlement approval process.

10. I have spent time communicating with my attorneys to receive answers to my questions or updates on the case progression. I estimate I have devoted approximately at least 120 hours of my time to this action and vigorously representing the interests of the Settlement Class, including by performing the following:

- a. Researching the issues and claims I could bring against Defendant and talking to my attorneys about initiating this action;
- b. Being interviewed in detail by my counsel regarding the working conditions we operated under for Defendant, and particularly my experiences and the policies and practices that applied to my employment and the employment of the other similarly situated employees;
- c. Searching for and gathering relevant documents in my possession and providing them to my attorneys, and reviewing all documents produced by Defendant;
- d. Speaking with and informing my attorneys of the identities of potential witnesses and Class Members and responding to questions from Class Members and counsel and from Defendants in discovery in preparation for mediation;
- e. Preparing for the mediation session and reviewing settlement-related documents and working with counsel to execute the final versions of the Settlement Agreement. I

have also worked with counsel in connection with the motion for preliminary approval of the Settlement Agreement in drafting this Declaration and will also do so as necessary in connection with final approval; and

f. Regularly receiving and responding to correspondence and phone calls from my attorneys regarding the claims and case status and then the Settlement and other related documents.

11. I have chosen to serve as a Class Representative despite my concerns about how my role in this Class Action may adversely affect my prospects for future employment given that this Class Action and the settlement is public information accessible by prospective employers.

12. This decision posed other risks for me, too, and I did not make the decision to become involved in this class action lightly. I was concerned about the attention a publicly filed lawsuit, and especially a class action, would attract. My name would be associated with a lawsuit that I filed against my employer. I was aware that it is possible, and relatively easy, to perform background checks of publicly filed documents on the internet, sometimes with nothing more than a simple Google search. I was mindful that prospective employers might find out that I sued a former employer, and that this could hurt my employability in the future. I believed in this case and was willing to be a Class Representative knowing the risks involved.

13. I took a big risk by coming forward to help with this Class Action. If I had lost the case and been ordered to pay Defendant's litigation costs, it would have been financially devastating to me.

14. This case has also resulted in a valuable benefit to the Class Members who will participate in the monetary payout of this Settlement because of my involvement and willingness to come forward on behalf of the other employees.

15. I have reviewed with my counsel the Settlement Agreement negotiated with Defendant in this action on behalf of the Class Members. I agreed to the terms because I believe the Settlement is fair and reasonable. I understand that once the Court grants preliminary approval of the Settlement and to me serving as the Class Representative, the action will proceed with Settlement administration and then the final approval process.

Executed this 23rd Day of April 2026, in Hayward, California.

Signed by: 
Shahista Khan
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