

1 **JUSTICE FOR WORKERS, P.C.**
William C. Sung SB# 280792
2 E-Mail: william@justiceforworkers.com
Tiffany L. Luu SB# 335127
3 E-Mail: tluu@justiceforworkers.com
Joseph C. Ramli SB# 339491
4 E-Mail: jramli@justiceforworkers.com
9575 Bolsa Avenue
5 Westminster, CA 92683
Tel: 323-922-2000
6 Fax: 323-922-2000

7 Attorneys for Plaintiffs LAFLORIE BANKS,
SHATAAE POATES, and CARMEN PRADO REYES

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF SAN BERNARDINO**

12 Coordination Proceeding
Special Title (Rule 3.550)

13 BARSTOW POST ACUTE WAGE AND
14 HOUR CASES

15 Included actions:

16 BANKS, ET AL. V. BARSTOW POST
ACUTE LLC (San Bernardino Superior Court
17 Case No. CIVSB2416717)

18 NELSON V. BARSTOW POST ACUTE LLC
(Orange County Superior Court Case No. 30-
19 2024-01423982)

Case No.: JCCP5387

[Assigned for All Purposes to:
Hon. David E. Driscoll, Dept. S22]

**DECLARATION OF SHATAAE POATES
IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT IN
BANKS ACTION**

(Filed concurrently with Motion for
Preliminary Approval; Supporting
Declarations; and [Proposed] Order)

DATE: October 6, 2026
TIME: 8:30 a.m.
DEPT: S22

Action Filed: May 13, 2024
Trial Date: Not Set

1 I, Shataae Poates, hereby declare as follows:

2 1. I am an individual over the age of 18 year and the named Plaintiff in the above-
3 captioned matter. This declaration is submitted in support of approval of the proposed class action
4 and PAGA settlement (“Settlement”) reached in this case. I have personal knowledge of the facts
5 contained in this declaration, and if called as a witness, could and would testify as to their accuracy.

6 2. I was employed by Defendant Barstow Post Acute LLC (“Defendant”) as an hourly-
7 paid, non-exempt employee from approximately January 2024 to July 2024 as a CNA and RNA.
8 During my employment with Defendant, I was subject to Defendant’s wage and hour policies and
9 practices that are at issue in this case.

10 3. Specifically, I earned incentive compensation which I believe were not properly
11 factored into my overtime and meal period premium rates of pay, my meal breaks were frequently
12 interrupted by my supervisors for work-related reasons, resulting in meal period violations and
13 unpaid wages, and I frequently was unable to take my rest breaks because of my workload. As a
14 result of the foregoing issues, I believe I received inaccurate wage statements and was not paid all
15 wages when my employment with Defendant ended. I believe other non-exempt employees of
16 Defendant were subject to the same policies and procedures discussed above and that my claims
17 against Defendant for unpaid wages and statutory and civil penalties are typical of Class Members’
18 claims.

19 4. Without waiving the attorney-client privilege, my attorneys explained my role and
20 responsibilities as a Class Representative, and I understand my responsibilities as a Class
21 Representative. Since retaining my attorneys in July 2024, I have had many discussions and
22 meetings with the attorneys and staff at Justice for Workers, discussions regarding Defendant’s
23 wage and hour practices and my claims in this case, litigation strategy, opposing Defendant’s
24 Motion to Compel Arbitration, updates on how the case was proceeding, the Settlement, and how I
25 could help the case and potential Class Members. I also gathered and reviewed documents for use in
26 the lawsuit and reviewed and signed relevant documents with my attorneys, such as my declaration
27 to oppose the Motion to Compel Arbitration and settlement documents. I estimate that I have spent
28 approximately 15 to 20 hours on this case from the time I first spoke with my attorneys regarding

1 this case until the present. I also understand that as part of the Settlement, I have agreed to a general
2 release of claims against Defendant, which is broader than the release of claims agreed to by other
3 Class Members.

4 5. Furthermore, there is no conflict between my interests and the interests of the class
5 that I am seeking to represent. My interests are entirely coextensive with the interests of the Class. I
6 allege that I was injured by the same company-wide policies and practices to which the proposed
7 Class was subjected and seek the same relief. I have already demonstrated my ability to advocate
8 for the interests of the Class by initiating this litigation, undertaking extensive class discovery, and
9 evaluating the proposed settlement to assure that it is fair.

10 6. I understood that at the time I filed this action, as a Class Representative, I owed a
11 duty to the putative class members to faithfully prosecute this action with their best interests at the
12 forefront of every decision. I understood that I could not make any decision in this action for the
13 sole benefit of my personal interest. I understood that in executing this duty, I might have been
14 asked to sacrifice my personal best interests for the benefit of the interests of the putative class
15 members. Nevertheless, I knowingly and voluntarily undertook this duty in order to provide the
16 broadest possible relief for my former co-workers for what I perceived to be Defendant's unlawful
17 wage and hour practices. I believe that I faithfully executed the duties of a Class Representative
18 throughout this litigation and will continue to do until this litigation is fully and finally resolved.

19 7. I understand that my attorneys will request that the Court approve a service award of
20 \$10,000 for my efforts on behalf of the Class. I believe this amount is reasonable based on the
21 amount of time and effort I have devoted to this case, the risks I have undertaken as a Class
22 Representative and my general release of claims.

23 ///

24 ///

25 ///

26 ///

27 ///

1 I declare, under penalty of perjury under the laws of the State of California, that the
2 foregoing is true and correct.

3 Executed on July 16, 2026 at Barstow, California.

4
5 

6 _____
Shataae Poates