

WILSHIRE LAW FIRM, PLC
 Tyler J. Woods, Esq. (SBN 232464)
 tyler.woods@wilshirelawfirm.com
 James Yoo, Esq. (SBN 310680)
 james.yoo@wilshirelawfirm.com
 Alan Wilcox (SBN 287476)
 alan.wilcox@wilshirelawfirm.com
 Lucy Nguyen (SBN 338783)
 lucy.nguyen@wilshirelawfirm.com
 Conor Gomez (SBN 337395)
 conor.gomez@wilshirelawfirm.com
 660 S. Figueroa Street, Sky Lobby
 Los Angeles, CA 90017
 Telephone: (213) 381-9988
 Facsimile: (213) 381-9989

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF SAN DIEGO**

FREDDIE BUNCH, ARNULFO LABIOS, and
 ASHLEY NICOLE ELLIOTT on behalf of
 themselves and all others similarly situated,

Plaintiffs,

vs.

NAPHCARE U.S., INC., an Alabama
 corporation; NAPHCARE OF SAN DIEGO LLC,
 a California limited liability company;
 NAPHCARE PHARMACY, LLC, an Alabama
 limited liability company, NAPHCARE US DE,
 LLC, a Delaware limited liability company;
 NAPHCARE WHOLESALE DISTRIBUTION,
 LLC, an Alabama limited liability company;
 NAPHCARE, INC., an Alabama corporation; and
 DOES 1 through 10, inclusive,

Defendants.

Case No.: 37-2024-00002535-CU-NP-CTL
 Assigned to Hon. Judge Matthew C. Braner,
 Dept. C-60

Complaint filed: January 19, 2024
 Trial date: Not Set

**CLASS AND REPRESENTATIVE
 ACTION**

**DECLARATION OF PLAINTIFF
 ARNULFO LABIOS IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 PRELIMINARY APPROVAL OF CLASS
 ACTION SETTLEMENT**

DECLARATION OF PLAINTIFF ARNULFO LABIOS

I, Arnulfo Labios, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All of the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a former employee of NaphCare U.S., Inc., NaphCare of San Diego LLC, NaphCare Pharmacy, LLC, NaphCare US DE, LLC, NaphCare Wholesale Distribution, LLC, and NaphCare, Inc. (“Defendant”). I worked for Defendant from approximately September 2020 to approximately September 2024 as an hourly, non-exempt employee. Throughout the entirety of my employment, I was subject to all of Defendant’s policies and practices that have been alleged as unlawful in the Class Action Complaint and Private Attorneys General Act (“PAGA”) Notice sent to Defendant and the Labor & Workforce Development Agency (“LWDA”).

4. I initiated this lawsuit because I was concerned that I was not paid properly for all the hours that I worked, and I was not provided all of my meal and rest breaks.

5. By originating this lawsuit as a class representative, I hoped that I might be able to change Defendant’s policies to better protect the working conditions of my co-workers. I also understood that it was my duty as a class representative to represent the best interests of the class, know about the lawsuit, assist my attorneys, and keep updated on the case.

6. I have invested a lot of personal time and energy into this lawsuit. As detailed more fully below, I have spent approximately 40 hours on this case. I made it a priority to be actively involved because I wanted to do everything I can to assist my attorneys in prosecuting this case.

7. Throughout this case, I spent a lot of time on the phone with my attorneys to get updates about the case and provide them with information. For example, during some of the phone

calls, my attorneys and I were able to identify instances when I was not paid correctly. Additionally, leading up to the mediation in January 2026, I had multiple lengthy phone calls with Wilshire Law Firm, PLC regarding the claims at issue and what was to transpire at the mediation.

8. Throughout the case, I also spent time looking for documents relevant to the case to send to my attorneys. I spent numerous hours looking for these documents, including when I first contacted my attorneys, before my attorneys filed the case, and before my case was mediated. I also spent time reviewing legal documents in this case, including the retainer and settlement agreement and discussed, in detail, the terms with my attorneys.

9. I understand that the Settlement provides for a Gross Settlement Amount of \$2,450,000.00, from which payments will be made to Class Members, PAGA penalties will be allocated between the State of California and aggrieved employees, and attorneys' fees, costs, and administration expenses will be paid. My attorneys explained how these amounts were calculated, and I understand how my individual payment will be determined based on my workweeks.

10. I understand that there were risks in continuing this case, including the possibility that Defendant could prevail on some or all claims, that class certification could be denied, or that recovery could be reduced. I also understand that continued litigation would delay recovery for the Class.

11. Additionally, I made myself fully available on the day of mediation and was in continuous contact with my attorneys to assist with any questions or issues that may have arisen. The settlement was reached after arm's-length negotiations with the assistance of an experienced mediator. I believe the negotiations were fair and not collusive.

12. I believe the settlement is a good settlement and I would recommend that the Court approve it because I believe that this settlement is fair, adequate, and reasonable. I am glad that I had the opportunity to represent the class in this lawsuit and that I was able to recover money through a settlement for the class. I believe that I have adequately represented the interests of the Class and that the Settlement provides a fair recovery for Class Members.

13. I did not make the decision to file a class action lightly. I was concerned by 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 former employer. I am mindful that prospective employers might find out that I sued Defendant. Nevertheless, I felt that important rights were at stake that hurt everyone, and something ought to be done about it.

14. I also understand that there was financial risk in bringing this lawsuit. For example, I knew that if I did not prevail in this lawsuit that I could potentially be responsible for Defendant's attorneys' fees and costs.

15. I understand that the settlement agreement provides a service payment to me of up to \$15,000.00. I believe this amount is fair compensation for my time and effort on this case, for helping to prosecute this case, and the risks with respect to my future employment. In addition to my time, I undertook reputational and professional risks by participating in this lawsuit and allowing my name to be publicly associated with the action. In addition, the settlement requires that I enter into a general release, which I understand is broader than the release that will bind other class members. I am receiving no additional compensation to that provided for in the settlement.

16. I have not received and will not receive any compensation related to this case other than what is described in the Settlement Agreement.

17. Based on my involvement in this case and the benefits provided to my former co-workers, I can say I helped stand up for the other workers who were too afraid to say anything to management because they did not want to risk losing their jobs or risk the stigma of suing an employer. I was not afraid to take that risk because I strongly care about helping out my former co-workers.

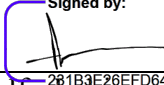
18. I reviewed (and ultimately signed) the Class Action and PAGA Settlement Agreement in full and my attorneys answered all the questions I had. I believe the settlement terms and allocations are fair, adequate, and reasonable given the strength of the class claims and Defendant's defenses.

19. I have no conflicts of interest with any class member or the Settlement Administrator, Phoenix Class Action Administration Solutions.

20. I am not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by the Settlement.

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

3 Executed on 3/26/2026, at Lodi, California.

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5 Signed by:
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8 Arnulfo Labios
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