BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP
Norman B. Blumenthal (State Bar #068687)
Kyle R. Nordrehaug (State Bar #205975)
Aparajit Bhowmik (State Bar #248066)
Jeffrey S. Herman (State Bar #280058)
Sergio Julian Puche (State Bar #289437)
Trevor G. Moran (State Bar#330394)
2255 Calle Clara
La Jolla, CA 92037
Telephone: (858)551-1223
Facsimile: (858) 551-1232

Website: www.bamlawca.com

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN FRANCISCO

ARDEN WHIPS, on behalf of the State of California, as a private attorney general,

Plaintiff,

vs.

IME RESOURCES, LLC, a limited liability company; EXAMWORKS COMPLIANCE SOLUTIONS, LLC, a limited liability company; EXAMWORKS, LLC, a limited liability company; EXAMWORKS GROUP, LLC, a limited liability company; and DOES 1 through 50, inclusive,

Defendants.

Case No. CGC-24-620199

DECLARATION OF ARDEN WHIPS IN SUPPORT OF MOTION TO APPROVE PAGA SETTLEMENT

Hearing Date:
Hearing Time:

Judge: Hon. Rochelle East
Dept.: 610

Action Filed: December 2, 2024
Trial Date: Not Set

I, Arden Whips, declare:

1. I am a competent adult, I have personal knowledge of the facts in this declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in support of the Motion to Approve Private Attorneys General Act Settlement.

2. I worked in California as a non-exempt employee of Defendants IME Resources, LLC; Examworks Compliance Solutions, LLC; Examworks, LLC; and Examworks Group, LLC ("Defendant") from July of 2021 through July of 2024, and at all times was classified as a non-exempt employee, paid on an hourly basis, and entitled to the legally required meal and rest periods and payment of minimum and overtime wages due for all time worked.

3. I retained my attorneys who are experienced in PAGA representative action litigation and claims against employers for violations of the California Labor Code. I have no personal relationship or family ties to my attorneys or any officer of the Court. I am not aware of having any actual or potential conflicts of interest with another PAGA Member in this case nor am I aware of having any actual or potential conflicts of interest with the settlement administrator in this matter.

4. I was subject to Defendant's policies and practices that have been alleged as unlawful in the Complaint and the PAGA notice sent to the Labor and Workforce Development Agency. For example, I was forced to work off the clock, as I was required to record my time on a company provided computer and log in to the IME Centric Application. First, due to HIPPA rules, I was instructed to log out of their computers daily at the start of my shift and shut computers down which thereafter required a daily boot up prior to turning on and logging in. Second, a Microsoft Authentication code sent to my personal cell phone at the start of each shift to log-in to the computer, and 1-3 additional times throughout the day when the log-in timed out. Typically, it would take on average 15 minutes before being able to clock in successfully. I would check voicemails while waiting for the computer to boot up before allowing me to clock in. I was not compensated for the boot up and authentication time. Further, I was required to undergo temperature checks which were administered daily by the front desk receptionist with a temporal scan. This took 3-5 minutes daily depending on how many employees were in line. I also often filled out a questionnaire, which had

to be completed before clocking in. Additionally, I did not always receive compliant meal and rest breaks, which were often late, short, interrupted, or missed entirely – and when these violations occurred, I did not receive all break penalty payments I was entitled to. I was also not reimbursed for the use of my personal cell phone, despite the fact I was required to use my personal cell phone to send and receive calls and texts from co-workers and managers several times a day.

5. In bringing this case for myself, the State of California, and the other employees, I understood a lot of work would be required and I was willing to, and did, do the work to keep the case moving forward. For instance, before the complaint was filed I spoke to my attorneys several times and discussed how Defendant implemented its company policies and procedures. I also assisted my attorneys in their investigation into my claims by providing them documents and answering their questions. I reviewed the complaint before it was filed and after it was filed, I was given access to an electronic file sharing program that alerted me via email when important documents were filed so that I could review them and keep up with the developments in the case.

6. My attorneys explained to me the risks and benefits of bringing a representative action. I understood that I took on the risk, both professionally and financially, in pursuing the case as a representative PAGA action.

7. A mediation took place on January 28, 2026, with Daniel J. Turner, Esq., a well-respected and experienced wage and hour mediator. This mediation ultimately resulted in an agreement to settle the action. I communicated with my attorneys regarding the terms of the settlement which was reached between the parties and understood that the recovery in this case was for the benefit of my fellow coworkers, not just for me, and therefore wanted the best possible result to be obtained for the PAGA Members. I reviewed and signed the Memorandum of Understanding on March 5, 2026. When it was ready, I also closely reviewed and signed the PAGA Settlement Agreement on September 16, 2026.

8. I have been actively involved with this lawsuit. Although I did not keep time records, I was in regular contact with my attorneys, reviewed court filings, and spent a significant amount of time on the issues presented during the lawsuit and in the settlement process. I estimate that I spent approximately 30-40 hours working on this case up until this point.

9. I reviewed the final PAGA Settlement Agreement, and I believe it is fair and reasonable given the facts of the case.

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

Executed on 10/19/2026 (date), at Cameron Park, CA (city, state).

Arden Whips
Arden Whips (Oct 19, 2026 17:28:58 PDT)

Arden Whips