

DOUGLAS HAN (SBN 232858)
SHUNT TATAVOS-GHARAJEH (SBN 272164)
JUSTICE LAW CORPORATION
751 N. Fair Oaks Avenue, Suite 101
Pasadena, California 91103
Telephone: (818) 230-7502
Facsimile: (818) 230-7259

Attorneys for Plaintiff Paola Olivo

[Counsel for Plaintiff Roya Noori on the following page]

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

ROYA NOORI and PAOLA OLIVO on behalf
of themselves, all others similarly situated, and
on behalf of the general public,

Plaintiffs,

v.

VISTA COMMUNITY CLINIC; and DOES 1-
100,

Defendants.

Case No.: Case No. 37-2023-00000144-CU-
OE-CTL
(Consolidated with Case No.37-2023-
00005665-CU-OE-CTL)

Assigned for All Purposes to:
Honorable James A. Mangione
Department C-75

CLASS ACTION

**DECLARATION OF PAOLA OLIVO IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT, CLASS COUNSEL FEES
PAYMENT, CLASS COUNSEL
LITIGATION EXPENSES PAYMENT,
AND CLASS REPRESENTATIVE
SERVICE PAYMENTS**

Hearing Date: January 24, 2025
Hearing Time: 9:00 a.m.
Hearing Place: Department C-75

Complaint Filed: January 3, 2023
FAC Filed: August 16, 2023
Trial Date: None Set

1 DAVID MARA (SBN 230498)
2 JILL VECCHI (299333)
3 **MARA LAW FIRM, PC**
4 2650 Camino Del Rio North, Suite 302
5 San Diego, California 92108
6 Telephone: (619) 234-2833
7 Facsimile: (619) 234-4048

8 *Attorneys for Plaintiff Roya Noori*
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

I, **PAOLA OLIVO**, hereby declare as follows:

1. I am over eighteen (18) years of age and a resident of California. I am the named plaintiff in the above-captioned case, and I have personal knowledge of the facts and statements set forth herein. If called upon to testify, I could and would competently testify.

2. I was employed by Defendant Vista Community Clinic (“Defendant”) as an hourly-paid, non-exempt employee during the relevant time period. During my employment, it was often the case that I was forced to forgo receiving compliant breaks (*e.g.*, missed, late, short) largely due to the nature of my work and heavy, time-sensitive workloads. After I left, I sought legal advice concerning my time with Defendant to explore the possibility of filing a lawsuit to redress my grievances. Pursuant to this, I contacted Justice Law Corporation and spoke with the attorneys there, including Douglas Han, Esq., to receive legal consultation about my work experience. During this time, Mr. Han informed me about other potential wage-and-hour violations that I may have faced during my employment (*e.g.*, not being compensated for all hours worked, not being reimbursed for business expenses). Once I realized what had happened, I wanted to do whatever I could to ensure that Defendant paid what was owed and stopped its improper, uniform practices.

3. Mr. Han explained the possibility of starting a class action lawsuit. But Mr. Han also indicated that I may have to sacrifice my potential individual claims in exchange for pursuing claims on behalf of all employees. I was informed of the risks and sacrifices associated with serving as a representative (*e.g.*, risking a judgment of attorneys' fees and costs entered against me, agreeing to a broader release). I struggled with the decision to bring my own claims versus seeking a claim on behalf of the Class and informed Mr. Han that I would be in touch.

4. After my initial consultation, I investigated class action lawsuits and did some research of the leading class action and employment law firms in California for about two (2) hours. I then spoke with the attorneys at Justice Law Corporation for another hour to further discuss my situation, class action lawsuits in general, and what it meant to be a representative. Considering the violations I faced, I decided starting a class action lawsuit (later consolidated

1 with a Private Attorneys General Act of 2004 (“PAGA”) lawsuit) to stop Defendant’s improper,
2 uniform practices was worth sacrificing potential individual claims.

3 5. I filed a wage-and-hour class action lawsuit in the Superior Court of California,
4 County of San Diego, alleging eight (8) causes of action. Roya Noori, another former employee
5 of Defendant who is represented by Mara Law Firm, PC, had previously provided written notice
6 to the California Labor and Workforce Development Agency and Defendant. Roya Noori had
7 then filed a similar wage-and-hour class action lawsuit and representative PAGA action in the
8 Superior Court of California, County of San Diego. It was determined that it would be more
9 effective to work together to litigate our claims due to the similarities of our grievances against
10 Defendant. Pursuant to this, Roya Noori consolidated both her lawsuits and filed a First
11 Amended Complaint that added me as a named plaintiff. I then dismissed my wage-and-hour
12 class action lawsuit. The Parties engaged in discovery, investigations, and negotiations before
13 deciding to remotely attend mediation with the hopes of reaching a settlement. After a full day of
14 mediation and with the mediator’s assistance, the Parties reached a settlement.

15 6. I have spent over forty-five (45) hours meeting with my attorneys concerning the
16 case and performing my responsibilities as a class representative. These many responsibilities
17 included, among other things: (a) gathering my employment documents (*e.g.*, personnel records)
18 to give my attorneys an idea of the policies, practices, and procedures I was exposed to; (b)
19 reviewing documents with my attorneys and answering any pertinent questions and inquiries; (c)
20 providing the names and contact information of several putative class members for my attorneys
21 to locate and interview to corroborate the allegations; (d) speaking with other current and former
22 employees of Defendant to gather support for my claims; (e) providing guidance regarding other
23 employees’ duties and responsibilities to help determine commonality and typicality; (f)
24 discussing my employment experience (and work environment); (g) reviewing the operative
25 complaint and Settlement Agreement (and exhibit); (h) helping my attorneys develop a strategy
26 to obtain additional documents from Defendant and other sources; (i) looking over the formal
27 discovery requests before propounding them; (j) gathering the necessary documents and
28 information to respond to the formal discovery requests; and (k) preparing for and making

1 myself available all day to remotely participate in and provide my input for mediation. I also
2 routinely checked in with my attorneys and their staff to ensure they had my most current
3 information and any additional material I obtained.

4 7. I have made myself available to meet and speak with my attorneys whenever they
5 needed me throughout this matter. I have responded to my attorneys' questions and inquiries as
6 quickly as possible and gave them as much information as I could gather (*e.g.*, names and
7 contact information of several putative class members, various violations I experienced and
8 witnessed, policy documents I was given during my employment). I also spent at least six to
9 seven (6-7) additional hours discussing the case with my attorneys (*e.g.*, applicable legal theories
10 to explore, pertinent information to request, importance of the documents produced, relative
11 strengths of the allegations) and sending them relevant documents and information. The aid that I
12 provided my attorneys played an important role in allowing this matter to be resolved as opposed
13 to being litigated for several more months, or even years.

14 8. The description of my work experience coupled with authorizing the receipt of
15 my employment documents helped my attorneys develop their legal theories and determine the
16 extent and frequency of the alleged day-to-day violations. Additionally, by providing the names
17 and contact information of several putative class members, my attorneys located and interviewed
18 them, allowing my attorneys to corroborate the legal theories already developed. Collectively,
19 this information refined my attorneys' understanding of the policies, practices, and procedures in
20 place and informed them of the legal theories to further develop and emphasize at mediation. In
21 other words, my assistance was integral to better preparing my attorneys for mediation, thereby
22 increasing the likelihood of negotiating a settlement. Even if a similar settlement had been
23 reached down the line, it would have been undercut by the costs and expenses incurred.

24 9. During discovery, I spent several days digging through emails seeking documents
25 and information that would be responsive to the formal discovery requests. For example,
26 pursuant to the Requests for Production, I had to gather the following documents and
27 information, among others: (a) all documents that to communications I had with any former
28 office, employee, or agent of Defendant regarding the allegations in the operative complaint; (b)

1 all documents that to communications I had with any current office, employee, or agent of
2 Defendant regarding the allegations in the operative complaint; and (c) all documents relating to
3 any of the allegations in the operative complaint. In fact, discovery was another essential
4 component that contributed to the settlement of this case. For instance, the several consultations
5 with my attorneys assisted them with determining the relevant documents to gather from
6 Defendant and other sources (*e.g.*, personnel records, sampling of time and pay records). By
7 extension, obtaining a correct sampling of time and pay records aided my attorneys with
8 accurately calculating potential damages for mediation purposes, giving them the necessary
9 leverage to negotiate a settlement. I was also informed that I may be called in for a deposition at
10 one point. While I was ultimately not deposed, I was ready and willing to spend as much time as
11 necessary to give my testimony regarding the violations I experienced and witnessed.

12 10. Regarding the settlement itself, I was available to answer any questions my
13 attorneys had. During mediation, I made myself accessible all day via phone call and Zoom to
14 respond to any inquiries and to provide my input regarding the negotiations. When my attorneys
15 asked me to review the Settlement Agreement (and exhibit), I took about two (2) hours to review
16 it. I then spent around one and one-half (1.5) hours asking questions and discussing the terms and
17 provisions of the settlement with my attorneys before signing it.

18 11. As a class representative, I was required to provide a broader release compared to
19 other Class Members. This included a general release of all known or unknown claims and
20 expressly waiving and relinquishing the provisions, rights, and benefits, if any, of section 1542
21 of the Civil Code. It was a serious risk being a part of a class action and PAGA lawsuit, but I did
22 not allow this to deter me from seeking justice on behalf of my former coworkers.

23 12. I have done everything my attorneys have asked of me and tried to represent the
24 Class to the best of my abilities. I think that my efforts helped to get the results obtained herein. I
25 request that the Court award me a Class Representative Service Payment of \$10,000 for my
26 active participation and sacrifices in this matter.

27 ///

28 ///

1 13. Serving as a class representative is not something I took lightly. Considering the
2 time dedicated, benefits conferred to the Class, lack of personal benefits received (*e.g.*, forgoing
3 potential individual claims to be a part of a class action and PAGA lawsuit instead of filing a
4 quicker individual lawsuit), risking a judgment of attorneys' fees and costs entered against me,
5 agreeing to a broader release, and losing a potential source of income, I believe that the Class
6 Representative Service Payment is reasonable and justified.

7 14. I am not related to anyone associated with Justice Law Corporation or Mara Law
8 Firm, PC nor have I entered any undisclosed agreements or received any undisclosed
9 compensation in this case.

10
11 I declare that under the penalty of perjury under the laws of California the foregoing is
12 true and correct. Executed this 11/20/2024 at Vista, California.

13
14 

15
16
17
18
19
20
21
22
23
24
25
26
27
28

Paola Olivo