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Attorneys for PLAINTIFF

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF FRESNO

AMANDA VASQUEZ, an individual, on
behalf of herself and on behalf of all persons
similarly situated,

Plaintiffs,

v.

MICARE CALIFORNIA, P.C., a California
corporation; EMPLOYEE BENEFIT
MANAGEMENT SERVICES, LLC, a
Delaware limited liability company;
IMAGINE 360 ADMINISTRATORS, LLC,
a Texas limited liability company; IMAGINE
360 LLC, a Delaware limited liability
company; and DOES 1-50, Inclusive,

Defendants.

Case No. 22CECG01242

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

Date: May 2, 2024

Time: 3:27 p.m.

Judge: Hon. Jeffrey Y. Hamilton, Jr.

Dept.: 503

1 I, AMANDA VASQUEZ, declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would competently
3 testify to the following facts from my own personal knowledge. I am the lead named Plaintiff in the
4 above wage and hour class action against MICARE CALIFORNIA, P.C., a California corporation and
5 EMPLOYEE BENEFIT MANAGEMENT SERVICES, LLC, a Delaware limited liability company
6 (hereinafter "Defendants").

7 2. This declaration is being submitted in support of Plaintiff's motion for Preliminary
8 Approval of Class Action and PAGA Settlement.

9 3. I believe that I am, have been, and will continue to represent the interests of the class
10 fairly and adequately. I have claims that are typical of the claims the Class Members that I am seeking
11 to represent.

12 4. I worked for Defendants a non-exempt employee in California from February of 2022
13 to September of 2022. During my employment, I was denied legally compliant meal and rest periods,
14 minimum and regular wages. Throughout my employment, I was subject to Defendants' written
15 policies and procedures contained in, among other documents, the "EBMS Handbook."

16 5. Generally, my lawsuit claims that Defendants failed to pay for all time worked, failed
17 to provide compliant meal and rest periods, failed to reimburse mandatory business expenses, failed
18 to furnish accurate itemized wage statements, and failed to pay all wages when due.

19 6. I believe that my claims are typical of the claims of the Class Members that I am seeking
20 to represent because I was subject to the same alleged unlawful employment policies and practices at
21 issue in this action, including but not limited to, Defendants' failure to provide complaint meal and
22 rest periods, failure to reimburse for mandatory business expenses, failure to furnish accurate itemized
23 wage statements, failure to pay for all hours worked, and failure to pay all wages when due. Factually,
24 Defendants' policies and practices apply class wide, and Defendants' liability can be determined by
25 facts common to all members of the Class.

26 7. Further, there is no conflict between my interests and the interests of the class that I am
27 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that
28 I was injured by the same company-wide policies and practices to which the proposed Class was

1 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
2 of the Class by initiating this litigation, undertaking extensive class discovery, and evaluating the
3 proposed settlement to assure that it is fair.

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

13 9. I believe that the proposed settlement before the Court is fair, reasonable, and adequate,
14 and made in the best interest of the Settlement Class Members. Consequently, I respectfully, and
15 humbly, ask the Court to grant preliminary approval of the Settlement and all of its terms.

16
17 I declare under the penalty of perjury under the laws of the State of California that the foregoing
18 is true and correct. Executed 04/05/2024, at Fresno, California.

19
20 By: Amanda Vasquez
21 AMANDA VASQUEZ, 2024 09:11 PDT