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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

JESSICA LOPEZ and CHARONE
DESHAZIER, individuals, on behalf of
themselves and on behalf of all persons
similarly situated,

Plaintiffs,

vs.

ETHOS-CALIFORNIA VETERINARY
GROUP, INC., a California corporation;
ETHOS VETERINARY HEALTH LLC;
a Delaware limited liability company;
and DOES 1-50, Inclusive,

Defendants.

Case No. 34-2022-00327993-CU-OE-GDS

**DECLARATION OF CHARONE
DESHAZIER IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT**

Hearing Date: June 14, 2024

Hearing Time: 9:00 a.m.

Reservation # A-327993-001

Judge: Hon. Jill H. Talley

Dept: 23

Date Filed: October 6, 2022

Trial Date: Not set

1 I, Charone DeShazier, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a proposed Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Preliminary Approval
4 of Class Settlement and in support of my application for a Class Representative Service Payment.

5 2. I have personal knowledge of all the facts stated herein. I could and would competently
6 testify under oath to these facts in court if requested to do so.

7 3. I began working for the defendants (“Ethos Veterinary”) in California in March of 2021 and
8 during the time I’ve worked for Ethos Veterinary I have been classified as a non-exempt employee.

9 4. I retained my attorneys who are experienced in both class action and representative
10 action litigation and claims against employers for violations of the California Labor Code. I have
11 no personal relationship or family ties to my attorneys or any officer of the Court. I am not aware
12 of having any actual or potential conflicts of interest with another class member in this case nor am
13 I aware of having any actual or potential conflicts of interest with Apex Class Action
14 Administration, the settlement administrator. I am not aware of any other pending matter or action
15 asserting claims that will be extinguished or adversely affected by this settlement.

16 5. I decided to pursue this action and be a plaintiff/class representative because I felt
17 that my legal rights as an employee and others like me were violated. For example, I received
18 non-discretionary compensation from time to time, such as bonuses and shift differentials, but
19 these payments during certain pay periods when I worked overtime were not factored into my
20 regular rate. I was underpaid overtime as a result. I also did not receive compliant meal breaks
21 which were sometimes late, short or missed entirely – and when these violations occurred I did
22 not receive all the meal break penalty payments I was entitled to or they were underpaid at the
23 incorrect rate. I also did not always receive compliant rest breaks nor did I receive all the rest
24 break premium payments I was entitled to when these violations occurred. I was also not paid
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1 any wages for off the clock work. For example, I would get phone calls or text messages while
2 off the clock regarding work related issues, such as scheduling, but was not paid any wages for
3 this time.

4 6. I spoke to my attorneys several times and discussed how Ethos Veterinary implemented
5 its company policies and procedures. I also assisted my attorneys in their investigation into my
6 claims by providing them documents and answering their questions. I reviewed the complaint
7 before it was filed and was given access to an electronic file sharing program that alerted me via
8 email when important documents were filed so that I could review them and keep up with the
9 developments in the case which I understood was one of my duties as a class representative. I
10 could also access court filings from this case on my attorney's law firm website.

11
12 7. Even though this action is in the process of settling, I was and remain prepared to
13 perform all the duties of a class representative. I understand that as a class representative I have
14 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent class
15 members. I have understood that as a fiduciary, I have a duty to prosecute this action for the
16 benefit of the class members and surrender any right to compromise the group action for an
17 individual gain.
18

19
20 8. I understood that being a plaintiff/class representative in this case meant that I was
21 seeking damages not only for myself but also other individuals working for Ethos Veterinary in
22 California who make up the class. I felt that these individuals were not aware of their labor law
23 rights and even if they were they would probably be apprehensive about speaking up or even simply
24 because of the time, effort and risk involved in filing a class action lawsuit.
25

26 9. I understood that being a part of this lawsuit involved risks. For example, my
27 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
28 pay for all or part of the attorney fees and costs paid by Ethos Veterinary to defend this lawsuit. I

1 also knew there was a risk that future employers, if they ever find out about this lawsuit, could hold
2 it against me or downgrade me as a potential hire. Ultimately I decided these risks were worth it
3 and decided to fight for my rights and the rights of others regardless of the risks, time and effort I
4 spent on this case.

5 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
6 kept up to date on important developments by reviewing court filings that were made available to
7 me electronically as I described above.

8
9 11. A mediation took place on November 15, 2023 with Tripper Ortman, a well-
10 respected and experienced mediator of wage and hour class actions. Following the mediation the
11 parties were able to reach an agreement to settle the action based on a mediator's proposal. I
12 communicated with my attorneys regarding the terms of the settlement which was reached between
13 the parties and understood that I was representing absent class members and therefore wanted the
14 best possible result to be obtained for the class members and I believe a very positive result was in
15 fact achieved via settlement. I reviewed and signed the Memorandum of Understanding on
16 December 8, 2023. When the final settlement agreement was ready I reviewed it closely and signed
17 it on April 19, 2024.

18
19 12. I have been actively involved with this lawsuit performing the duties described above.
20 Although I did not keep time records, I was in regular contact with my attorneys, reviewed court
21 filings and spent a significant amount of time on the issues presented during the lawsuit and in the
22 settlement process. I estimate that I spent approximately 30-40 hours working on this case up
23 until this point. I believe I have been diligent and have done what is expected of a plaintiff and a
24 proposed class representative to date, and will continue to do so. I have and always will maintain
25 the best interest of the class members.

26
27
28 13. My attorneys explained to me that the settlement process involves a two-step review

1 by the Court to determine whether the settlement is fair before approving the settlement. I know
2 this process also involves notifying all class members of the settlement terms and of their rights to
3 make a claim for their settlement share, to opt out of the settlement or to object to the settlement.

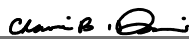
4 14. I believe I did the right thing by filing this case on behalf of the class members who,
5 subject to court approval, are in line to receive monetary payments as a result of this case and
6 settlement. This is money they may never have ever gotten if I did not pursue this action on their
7 behalf. I feel significant personal satisfaction to know that I played a role in the class members
8 being entitled to monetary payments as a result of the filing of this lawsuit. I also believe that the
9 requested Class Representative Service Payment of \$7,500 from the settlement is fair
10 compensation for the work I performed and the risks I undertook.

11 15. As part of the settlement it was necessary for me to sign a general release of claims I
12 may have against Ethos Veterinary. I believe the Class Representative Service Payment I have
13 requested provides me with some compensation for this agreed release.

14 16. In light of all the time and effort I have spent on this case, the risk I undertook by
15 suing an employer, the exposure to being responsible for paying for Ethos Veterinary's costs in the
16 event we did not win the case, the reputational risk that future employers may hold this lawsuit
17 against me, the general release and in light of the size of the settlement, I believe the request for
18 \$7,500 as a Class Representative Service Payment is fair and reasonable.

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

21 Executed on May 18, 2024, at Antelope, California.
22 (city, state)

23 
24 Charoné B. DeShazier (May 18, 2024 14:12 PDT)
25 Charone DeShazier