

HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
Tuvia Korobkin (SBN 268066)
tkorobkin@haineslawgroup.com
Alexandra R. McIntosh (SBN 320904)
amcintosh@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

Attorneys for Plaintiff
and Aggrieved Employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

LAMONT SOLOMON, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

APRIA HEALTHCARE LLC, a Delaware
Corporation; and DOES 1 through 100,

Defendants.

Case No. RIC2002553

*[Case assigned for all purposes to the Hon.
Daniel Ottolia, Dept. 04]*

**DECLARATION OF LAMONT
SOLOMON IN SUPPORT OF
PLAINTIFF'S MOTION FOR
APPROVAL OF SETTLEMENT OF
CLAIMS BROUGHT UNDER THE
PRIVATE ATTORNEYS'
GENERAL ACT AND
REASONABLE ATTORNEYS'
FEES, COSTS, AND SERVICE
AWARD**

Date: February 2, 2022
Time: 8:30 a.m.
Dept.: 4

Reservation ID: 541912703976

Complaint Filed: July 9, 2020
Trial Date: None Set

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1. I am an individual over the age of 18 and am the named plaintiff in this matter against Defendant Apria Healthcare LLC (“Apria”). This declaration is submitted in support of approval of the Settlement Agreement reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

3. While working for Apria, I was subject to Apria's wage and hour policies that are at issue in this case. During my employment with Apria, I often received shift differentials, on call payments, and driver safe bonuses. However, I do not believe Apria properly included these payments when calculating my regular rate of pay, resulting in an underpayment of overtime wages.

5. When I filed this lawsuit, I understood that this lawsuit could benefit my current and former co-workers, other Apria employees, and the State of California by helping to recover penalties on their behalf as a result of the alleged violations described above. I also understood that I was filing this case as an “aggrieved employee” on behalf of myself and my fellow “aggrieved employees” as well as the State of California.

6. When I filed this lawsuit, I knew there was a risk I could be liable for Apria's costs if we lost the case. I also understood that filing a lawsuit is a public record and that Apria, as my current employer, may retaliate against me for filing the suit. However, I accepted those risks so that I could help recover penalties on behalf of other Apria employees and the State of California.

7. I have been actively involved in this case since it started. I have had many phone conversations and meetings with my attorneys throughout this case to discuss Apria's wage and

1 hour policies and practices, identify potential witnesses, and discuss case strategy. I also gathered
2 and reviewed documents for use in the lawsuit and reviewed relevant documents with my
3 attorneys. I estimate that I have spent approximately 15-20 hours performing these activities in
4 order to help the case.

5 I declare under penalty of perjury under the laws of the State of California and the
6 United States that the foregoing is true and correct. Executed on January 5,
7 2022 at Moreno Valley, California.

8 
9 Lamont Solomon (Jan 5, 2022 20:38 PST)
10 Lamont Solomon