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Attorneys for Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

DANIELA ARBELAEZ ACEVEDO and
MYRELLA THOMAS, as individuals, and on
behalf of themselves and on behalf of all persons
similarly situated.

Plaintiffs,

v.

ACES 2020 I, LLC, a Limited Liability
Company; and DOES 2 through 50, inclusive.

Defendants.

Case No. 24CV061880

CLASS ACTION

**Declaration of Class Representative Myrella
Thomas**

Motion for Prelim. App. Hearing

Date: December 12, 2024

Time: 2:30 p.m.

Reservation ID: 139417801892

Hon. Victoria Kolakowski
Dept. 518

Action Filed: January 30, 2024
Trial Date: Not set

1 I, Myrella Thomas, declare as follows:

2 1. I am over 18 years of age and am the named plaintiff in this lawsuit. I am familiar with
3 and have personal knowledge of the facts set forth in this declaration.

4 2. I submit this declaration in support of the Motion for Preliminary Approval of Class
5 Action Settlement filed in my case. If called as a witness, I would competently testify honestly to the
6 below facts based on my personal knowledge.

7 3. From October 2021 through October 2023, I was employed by ACES 2020 I, LLC as
8 a Behavioral Interventionist. I was paid as an hourly wage employee.

9 4. During my employment, I became familiar with ACES 2020 I, LLC's employment
10 practices, which led me to identify payment issues that I alleged in the complaints filed by my lawyers
11 with the Court.

12 5. As a result, I searched for an employment lawyer to take legal action on behalf of
13 myself and my coworkers.

14 6. My intent was to find a lawyer to correct some of the payment and timekeeping
15 practices occurring at ACES 2020 I, LLC.

16 7. I came across Ferraro Vega Employment Lawyers. Mr. Ferraro, Ms. Vega, and their
17 law firm agreed to take my case and move forward on a class action basis. They accepted my case on
18 a contingency fee basis.

19 8. Prior to filing the case, I spoke at length with my attorneys and their staff, provided
20 documents and records in my possession, signed authorizations so that my attorneys could request
21 additional employment and payroll records, and provided my attorneys with contacts and witnesses to
22 speak to.

23 9. Before we filed the case, my lawyers conducted significant investigation—reviewing
24 my employment and payroll records and going over in detail specific examples of wrongful conduct I
25 alleged in the complaints.

26 10. I filed a related lawsuit on October 20, 2023, and I have stayed involved since then by
27 reviewing policies and documents, emailing, texting, and calling my lawyers, and responding to their
28 questions as needed.

1 11. I enjoyed working with my legal counsel and am satisfied that we were able to come
2 to a resolution.

3 12. My lawyers advised me when I filed this case that it could take a long time and that I
4 would be better off individually bringing and settling my own individual action, but I elected to go
5 with the class action option because it allowed for relief, recovery, and change to policies and practices
6 in a way that an individual lawsuit alone probably could not have accomplished.

7 13. I think that the total settlement of \$1,650,000, where individuals are going to passively
8 receive compensation, is significant. It is something I am proud of. I am aware that no other
9 employees have taken action to bring this case and that this case was the catalyst for recovery to class
10 members.

11 14. Although I am proud to have my name on this lawsuit for the benefit of my coworkers,
12 this lawsuit has caused difficulty and stress in my personal and professional life. For example, the
13 public nature of this lawsuit—and potential employers’ potential misconception of the lawsuit—
14 caused me concern with how it might affect my employment prospects.

15 15. When I decided to file this lawsuit, I was aware that this action is public record. I
16 understood that the lawsuit could continue for several years and would require my participation,
17 attention, and determination the entire time. I was made aware that I could become responsible for
18 some or all of my former employer’s legal costs if the case did not conclude successfully (though my
19 lawyers advised me this risk was ultimately low because I was bringing the claims based on strong
20 facts and in good faith). Despite these risks, I decided to serve as a proposed class representative and
21 the named plaintiff.

22 16. Even though my lawyers tell me I likely could have a settlement on an individual basis,
23 this would not have been fair to my coworkers. After more than a year of litigation, I feel good about
24 seeing the case through and bringing it to a final close.

25 17. I spent many hours working on this case before and after it was filed. I provided my
26 attorneys with information related to ACES 2020 I, LLC’s policies and practices. I gathered
27 documents related to my case and reviewed the documents provided by ACES 2020 I, LLC in
28 discovery and in advance of mediation. I provided information that would have been used in my

1 discovery responses. I reviewed information and documents produced by ACES 2020 I, LLC, helped
2 with my declaration in support of this action, and frequently communicated with my attorneys by
3 telephone, text message, and email to provide insight and perspective on this case.

4 18. I spoke with my attorneys and provided questions to be asked of ACES 2020 I, LLC
5 for documents and information related to this case. I made myself available for the mediation, and
6 throughout this lawsuit, and I regularly contacted my lawyers for updates and to answer their
7 questions.

8 19. I understand that I may be entitled to an additional payment for acting as a class
9 representative, and that this payment is subject to Court approval. Considering the time I devoted to
10 this case, the concerns I address above, the risks, and the results achieved through the settlement, I
11 believe that the requested service payment of \$10,000 is reasonable.

12 20. It is hard to determine exactly how much time I spent on this case. Some weeks
13 required much more time than others, such as during the pre-lawsuit investigation and discovery, and
14 the lead up to the mediation. I spent a considerable amount of time working on my case, during my
15 personal and family time outside of work hours, and I spent even more time thinking about this case.
16 I am glad it has come to a successful conclusion.

17
18 I declare under penalty of perjury under the laws of the State of California and the United
19 States of America that the foregoing is true and correct.

20
21 Dated: Nov 8, 2024

Myrella Thomas

22
23 _____
Myrella Thomas