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County of Tulare
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9 **SUPERIOR COURT OF CALIFORNIA**

10 **COUNTY OF TULARE**

11
12 LUCI GILLESPIE and ILEANA
13 SUASTEGUI, on behalf of themselves and all
others similarly situated,

14 Plaintiffs,

15 v.

16
17 PLUM HEALTHCARE GROUP, LLC, a
California limited liability company; and
18 DOES 1-100, inclusive,

19 Defendants.

Case No. VCU285376

**DECLARATION OF ILEANA
SUASTEGUI IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND PAGA ACTION SETTLEMENT**

Judge: Hon. Bret Hillman
Dept.: 7

Complaint Filed: December 17, 2020
Trial Date: None Set

1 **DECLARATION OF ILEANA SUASTEGUI**

2 I, Ileana Suastegui, declare as follows:

- 3 1. I am a named plaintiff and seek to represent the putative Class in the above-captioned action
4 (“Action”). I am over the age of 18. The following statements are based on my personal
5 knowledge. If called upon to testify as to the matters stated herein, I could and would do so
6 competently.
- 7 2. I submit this Declaration in Support of Plaintiffs’ Motion for Preliminary Approval of Class
8 and PAGA Action Settlement in the Action against Defendants Plum Healthcare Group, LLC;
9 Flax Holdings, LLC d/b/a River Valley Care Center; Gladiolus Holdings, LLC d/b/a The Pines
10 at Placerville Healthcare Center; Jujube Holdings, LLC d/b/a Sunnyvale Post-Acute Center;
11 Douglas Fir Holdings, LLC d/b/a Huntington Valley Healthcare Center; Olive Holdings, LLC
12 d/b/a Aviara Healthcare Center; and Rosebud Holdings, LLC d/b/a Western Slope Health
13 Center (collectively “Defendants”).
- 14 3. I was employed by Defendants as a Certified Nursing Assistant from approximately October
15 2019 to April 2020 at Redwood Springs Healthcare Center (now Visalia Post Acute) in Visalia,
16 California.
- 17 4. During my employment with Defendants, I experienced issues as set forth in the Complaints
18 in these Actions.
- 19 5. I retained Schneider Wallace Cottrell Konecky LLP (“SWCK”) and Lawyers for Justice
20 (“LFJ”) to represent me in this Action.
- 21 6. During this litigation, I have contributed numerous hours of my own time to the litigation of
22 these claims and been in constant communication with my attorneys to keep apprised of the
23 status of the litigation and answer questions as needed. For example, prior to filing the
24 Complaint in this Action, I had multiple telephonic interviews with my attorneys about my
25 work experiences, possible claims, and my duties as a named plaintiff and Class representative
26 in this litigation. I understand that these duties include participating actively in the litigation,
27 reviewing significant events in the litigation, keeping abreast of the status and progress of the
28 litigation, and considering the interests of the Class and putting those interests ahead of my

1 own. I knew that there was no guarantee that we would be successful in this case, and that
2 there was a significant chance of protracted litigation. I realized that my name would be on a
3 Class Action. I also understood that I may be required to spend a significant amount of time
4 on the discovery process.

5 7. I have been participating in this litigation since 2020, for well over three years. I have served
6 as the named plaintiff in this case since it was filed, as well as a second case in Alameda
7 Superior Court. I was also the claimant in an arbitration proceeding against Plum Healthcare
8 Group, LLC, but I understand that it was withdrawn because the employer failed to pay
9 required arbitration fees and the case was remanded to this Court. The Settlement resolves all
10 of these matters. Accordingly, I have made a significant contribution to this litigation and
11 making the Settlement a reality for the Class Members.

12 8. Before and during the two mediations in this Action, I was available to answer questions and
13 strategize with my attorneys. I spent several hours on the phone with my attorney, Scott
14 Gordon, to go over various factual details and the legal history of the cases. I remained on-call
15 during the mediations and stayed updated regarding their progress. Once we reached a
16 settlement, I carefully reviewed the material terms, discussed it with my attorneys, and signed
17 the Agreement on December 11, 2023.

18 8. Throughout this litigation, I have been in constant communication with my attorneys to keep
19 apprised of the status of the litigation and to answer questions as needed to pursue this case. I
20 have kept up to date on the status at every phase.

21 9. In sum, I worked with my attorneys to prepare the Complaint, provided documents and
22 information regarding my experience working for Defendants, stayed up to date on the
23 mediation process and settlement decisions, and otherwise remained in constant contact with
24 my attorneys.

25 10. To make this proposed Settlement a reality, I agreed to a general release. The general release
26 encompasses all claims that I may have arising out of my employment with Defendants. In
27 contrast, I understand that the release for putative Class members is limited to the facts and
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claims alleged in the Complaints. I agreed to the general release as a condition of Settlement to resolve my claims and the claims of the putative Class members.

11. Aside from the payment I am eligible to receive as a putative Class member and an enhancement payment for serving as the class representative, subject to Court approval, I am not receiving any other benefits from this Settlement.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 01 / 16 / 2024 in Woodlark, California.



Ileana Suastegui