

1 David S. Harris (SBN 215224)
2 NORTH BAY LAW GROUP
3 116 E. Blithedale Avenue, Suite #2
4 Mill Valley, California 94941-2024
5 Telephone: 415.388.8788
6 Facsimile: 415.388.8770
7 dsh@northbaylawgroup.com

8 *Attorneys for Plaintiff Alicia Ranillo*

**ENDORSED
FILED**

MAY 31 2019

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA**

9 **SUPERIOR COURT OF CALIFORNIA**

10 **COUNTY OF SONOMA**

11
12 ALICIA RANILLO, individually and on behalf
of all others similarly situated,

13 Plaintiffs,

14 v.

15 ENSIGN SONOMA LLC, a California limited
16 liability company, and DOE 1 through and
including DOE 100,

17 Defendants.

Case No. SCV-258369

**DECLARATION OF ALICIA RANILLO IN
SUPPORT OF PLAINTIFF'S UNOPPOSED
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND
MOTION FOR ATTORNEY'S FEES, COSTS,
AND AN ENHANCEMENT AWARD**

Assigned to Hon. Patrick M. Broderick

Date: June 14, 2019

Time: 9:00 a.m.

Place: Sonoma County Superior Court,
Courtroom 16, 3035 Cleveland Avenue, Santa
Rosa, California 95403

1 Alicia Ranillo declares under penalty of perjury of the laws of the United States and the State of
2 California as follows:

3 1. I am the named Plaintiff in the above-captioned action and have been appointed by the
4 Court as the Class Representative. I make this Declaration in support of Plaintiff’s Unopposed Motion
5 for Final Approval of Class Action Settlement and Plaintiff’s Motion for Attorney’s Fees, Costs, and
6 Enhancement Award. If sworn as a witness, I could competently testify to each and every fact set forth
7 herein from my own personal knowledge.

8 2. I worked for Ensign Sonoma LLC (“Ensign”) as a Licensed Vocational Nurse (“LVN”)
9 at its facility in Sonoma, California from March 2008 through September 2015. I was a non-exempt,
10 hourly employee. In my capacity as an LVN, I generally worked approximately 8 hours per day, but in
11 certain instances I was required to work overtime, or more than eight hours in a day. In those instances
12 when I worked overtime hours, Ensign failed to pay the correct hourly rate for overtime hours when I
13 also received shift-differential premium pay. Additionally, I was not always provided with a 10-minute
14 paid rest break for every four hours worked. Furthermore, I was not always provided with a timely 30-
15 minute meal break that started within the first five hours of my work day. Finally, I was provided with
16 paystubs from Ensign that did not include all of the information that is required to be listed on a paystub
17 pursuant to the California Labor Code, including the legal name of my employer, as well as all
18 applicable hourly rates.

19 3. In connection with this lawsuit, I feel as though I am a good representative of the other
20 employees in this case. I have personally invested a substantial amount of time in assisting in the
21 prosecution of this case over the past three and one-half years. To that end, I spent many hours
22 becoming educated on the relevant employment laws with my attorney, as well as being educated
23 regarding issues related to acting as a class representative in this class-action lawsuit. Additionally, I
24 have worked diligently to provide my attorneys with any documentation and information I had in my
25 possession, or that was within my knowledge, in order to assist in prosecuting, and eventually settling,
26 the claims that are the subject of this proposed settlement. As a result of asserting many of the claims in
27 this action, I also understand that some of Ensign’s employment policies have changed, which is
28 something that is satisfying to me and my former coworkers who are still employed at the facility.

1 4. I feel this enhancement award is reasonable based on the significant amount of time and
2 effort I spent on the case and the risks involved in this lawsuit. In this case, I have spent a tremendous
3 amount of time, both meeting with my attorneys in person, talking to them on the phone, and
4 communicating with them by email. I first began speaking with my attorneys in October 2015 to discuss
5 my potential claims and the case. At the outset of my representation, I met with my attorneys and spent
6 many hours explaining policies and practices related to my employment. During this process, I learned
7 about the various applicable labor laws that were potentially violated and the claims that were eventually
8 asserted in this class-action litigation. With the assistance of my attorneys, I was educated on the
9 requirements of the California Labor Code regarding the provision of overtime compensation (including
10 the obligation to pay all wages owed to employees on their final day of work), meal breaks and rest
11 breaks, as well as the information that an employer is required to provide to its employees on their
12 paystubs. At the request of my attorneys, I searched my personal files and provided my attorneys with
13 all documents and information that I had in my possession potentially relevant to the case and my
14 claims. Whenever my attorneys needed any information, I always made myself available, which
15 included numerous meetings in person and on conference calls regarding the factual and legal issues
16 involved in the case. Additionally, I spent many hours answering my attorney's questions, preparing for
17 and participating in an all-day deposition in San Francisco, and thereafter reviewing the transcript from
18 the deposition in order to ensure my testimony was all accurate. I also met with my attorneys on
19 numerous occasions in order review and execute documents.

20 5. I also participated by telephone in an all-day mediation that took place in Orange County,
21 California. I was also involved in, and regularly monitored, the post-mediation-session settlement
22 negotiations, during which time a long-form settlement agreement was drafted, ultimately signed, and
23 later preliminarily approved by the Court—a process that took nearly one year from the date of the
24 initial mediation.

25 6. I feel the requested enhancement award is warranted in light of the backlash I may
26 experience in the future from potential employers on account of the very public stance I took against my
27 former employer in this case. Indeed, I am fearful in the future of retaliation and negative references.
28 Furthermore, the filings in this case are public and readily available. Any potential future employer who

1 runs a background check will discover that I prosecuted this class action case against my former
2 employer. It is no secret that, when prospective employers seek information regarding my prior work
3 experience, I may not receive helpful recommendations, and the fact that I took this very public stance
4 against a large company may be perceived negatively by prospective employers. That notwithstanding,
5 I went forward with the lawsuit and secured a significant settlement. I did this notwithstanding the high
6 degree of risk that I may suffer adverse perceptions from future prospective employers on account of the
7 fact that I pursued this class action lawsuit.

8 7. I have reviewed the settlement agreement and believe that the terms are fair, adequate,
9 and reasonable to the Class. I understand that my fiduciary obligations to the Class will continue until
10 all settlement procedures are concluded and the settlement funds are distributed to the Class Members.
11 In sum, I have spent a significant amount of personal time and attention working on this case. I believe
12 the requested enhancement award is appropriate, as it fairly compensates me for the risks I incurred in
13 bringing this litigation (including possible future-employment backlash) and the substantial assistance I
14 provided in securing this settlement for other employees, as well as for furthering the public policies that
15 underlie our employment laws.

16 8. At the end of the day, my main concern is that all employees be treated fairly, and my
17 interest in prosecuting the lawsuit was to secure compensation for the members of the class on account
18 of Ensign's failure to comply with California's labor laws. With the assistance of my attorneys, we have
19 been able to secure a just settlement that can be shared by all of the employees, and that on a going-
20 forward basis, employees will hopefully be treated in accordance with the state and federal labor laws. I
21 have not been promised any special monetary reward or treatment for acting as a class representative. I
22 also am not aware of any interest that I have that is adverse to the members of the class as a whole, and I
23 believe that my individual claims are typical of the claims of the members of the class as a whole.

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1 I have read the foregoing, and I declare, under penalty of perjury of the laws of the United States
2 and the State of California, that the foregoing is true and correct.

3 Executed on May 31, 2019, in the County of Sonoma, State of California.

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6 Alicia Ranillo
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PROOF OF SERVICE

I declare under the penalty of perjury that I, J. Michael Solano, am a citizen of the United States and I am employed in the County of Marin. I am over the age of eighteen years and not a party to the within action. My business address is 116 E. Blithedale Avenue, Suite No. 2, Mill Valley, CA 94941.

On the date below, I caused the following documents:

DECLARATION OF ALICIA RANILLO IN SUPPORT OF PLAINTIFF'S UNOPPOSED MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND MOTION FOR ATTORNEY'S FEES, COSTS, AND AN ENHANCEMENT AWARD

to be served on the interested party in said action, who is:

Julie R. Trotter
Delavan J. Dickson
CALL & JENSEN
A Professional Corporation
610 Newport Center Drive, Suite 700
Newport Beach, CA 92660
Attorneys for Defendant Ensign Sonoma LLC

[X] BY UNITED STATES MAIL

I placed a true and correct copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mill Valley, California, addressed to the parties as set forth above. CCP Sections 1013(a), 2015.5.

I declare under the penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed on May 31, 2019 at Mill Valley, California.


J. MICHAEL SOLANO