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11 *Attorneys for Plaintiff Danielle Howell*

ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
5/13/2021 10:03 AM
Arlene D. Junior, Clerk of the Court
By: Jennifer Ellis, Deputy Clerk

11 **SUPERIOR COURT OF CALIFORNIA**
12 **COUNTY OF SONOMA**

14 DANIELLE HOWELL, individually and on
15 behalf of all others similarly situated,

16 Plaintiff,

17 v.

18 JONBEC CARE, INC., a California corporation;
19 and DOES 1–10, inclusive,

20 Defendants.

Case No. SCV-267909

**DECLARATION OF DANIELLE HOWELL
IN SUPPORT OF PLAINTIFF'S
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS-
ACTION SETTLEMENT AND FOR
CONDITIONAL CLASS CERTIFICATION**

Assigned to the Hon. Patrick Broderick

Date: 8 - 18 - 21, 2021

Time: 3:00pm .m.

Place: Sonoma County Superior Court, Hall of
Justice, Courtroom 16, 600 Administration
Drive, Santa Rosa, California 95403

1 **Danielle Howell** declares, under penalty of perjury of the laws of the United States and the State
2 of California, as follows:

3 1. I make this Declaration in Support of Plaintiff’s Unopposed Motion for Conditional Class
4 Certification and for Preliminary Approval of Class-Action Settlement. If sworn as a witness, I could
5 competently testify to each and every fact set forth herein from my own personal knowledge.

6 2. I worked for Defendant JonBec Care, Inc. (“JonBec”) as a direct-care staff member
7 from approximately March through July 2019. As a direct-care staff member, my job responsibilities
8 included taking care of mentally disabled adults by providing self-care training and therapeutic
9 treatments. Throughout my employment, JonBec regularly required me to work eight-hour-long shifts.
10 Those shifts were a mixture of day shifts, on the one hand, and night shifts—also referred to as “NOC
11 shifts”—on the other hand. Generally speaking, during NOC shifts, I was the only employee on site;
12 during day shifts, however, multiple employees of JonBec were on site, including at least one other
13 direct-care employee. In addition, some of my wage statements failed to list JonBec’s complete
14 address.

15 3. I understand that, in this lawsuit, I am alleging that JonBec failed to provide proper meal
16 breaks and rest breaks to employees, based on the theory that employees were required to remain at the
17 worksite during their breaks. I also understand that I am alleging that JonBec failed to provide proper
18 pay stubs to employees, based on the theory that JonBec’s pay stubs failed to list JonBec’s complete
19 address.

20 4. In connection with this lawsuit, I feel confident that I am a good representative of the
21 other employees in this case. I have personally invested a lot of time in assisting with this case. This
22 time included spending many hours educating myself on the relevant employment laws and the issues
23 related to being a class representative in a class-action lawsuit, as well as working diligently to provide
24 my attorneys with any documents and information that I had in my possession or within my knowledge.
25 The information and documents that I provided were used to assist in evaluating the strength of my
26 claims against JonBec, which eventually resulted in the settlement.

27 5. In this case, I have spent a lot of time meeting with my attorneys and talking to them on
28 the phone about the case. In fact, I first began talking with my attorneys in August 2019 to discuss my

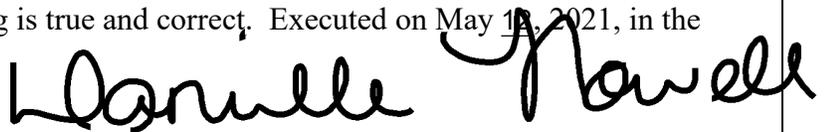
1 potential claims in this case. Whenever my attorneys needed me, I was available to answer questions,
2 review documents, or discuss any information I had regarding my employment with JonBec.

3 6. I have actively participated on this case. On July 10, 2020, I made myself available for
4 an all-day mediation session in this case. During and after the mediation, I spent time with my attorneys
5 evaluating the benefits of settling my claims for the benefit of JonBec's other employees, and going over
6 the settlement terms to understand their effect on those employees.

7 7. I chose to take a stand against JonBec because I wanted to make sure that all employees
8 are treated fairly, and my interest in pursuing this lawsuit was to secure compensation for other
9 employees on account of JonBec's alleged failure to comply with various labor laws. With the
10 assistance of my attorneys, we have been able to secure what I believe is a just settlement that can be
11 shared by all employees. I have not been promised any special monetary award or treatment for acting
12 as a representative of other employees. I also am not aware of any interest I have that is adverse to any
13 other employee of JonBec, and I believe that my individual claims against JonBec are typical of the
14 claims of other employees as a whole. I also have been made aware that the filings in this case are
15 available to the public.

16 8. I have reviewed the terms of the settlement agreement, and I believe that its terms are fair
17 and reasonable to JonBec's employees. I understand that my obligations to JonBec's employees will
18 continue until all settlement procedures are concluded and all settlement funds are distributed to
19 JonBec's employees, and I will undertake all efforts necessary to see this matter through to closure.

20 I have read the foregoing, and I declare, under penalty of perjury of the laws of the United States
21 and the State of California, that the foregoing is true and correct. Executed on May 19, 2021, in the
22 County of Los Angeles, State of California.



Danielle Howell

1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles; I am over the age of eighteen years and am not a party to
3 the within action; and my business address is 595 Lincoln Avenue, Suite 200, Pasadena, California
4 91103.

5 On **May 12, 2021**, I served the document(s) described as **DECLARATION OF DANIELLE
6 HOWELL IN SUPPORT OF PLAINTIFF’S UNOPPOSED MOTION FOR PRELIMINARY
7 APPROVAL OF CLASS-ACTION SETTLEMENT AND FOR CONDITIONAL CLASS
8 CERTIFICATION** on the party(ies) in this action by delivering a true copy(ies) addressed as follows:

9 Colin P. Calvert
10 ccalvert@fisherphillips.com
11 Sarah G. Bennett
12 sbennett@fisherphillips.com
13 FISHER & PHILLIPS LLP
14 2050 Main Street, Suite 1000
15 Irvine, California 92614

16 **BY U.S. MAIL:** I am readily familiar with the firm’s practice of collection and processing
17 correspondence for mailing. Under that practice, an envelope(s) containing the document(s)
18 would be deposited with the U.S. Postal Service on that same day, with postage thereon fully
19 prepaid, at Los Angeles, California in the ordinary course of business. I am aware that, on
20 motion of the party served, service is presumed invalid if the postal-cancellation date or postage-
21 meter date is more than one day after the date of deposit for mailing.

22 **BY OVERNIGHT DELIVERY OR EXPRESS MAIL:** I enclosed the document(s) in an
23 envelope(s) or package(s) allowed by an overnight-delivery carrier and/or by the U.S. Post
24 Office for express mail, and addressed to the person(s) at the address(es) above. I placed the
25 envelope(s) or package(s) for collection and overnight delivery or express mail at an office or a
26 regularly utilized drop-box of the overnight-delivery carrier, or I dropped it off at the U.S. Post
27 Office.

28 **BY HAND DELIVERY:** I caused the document(s) to be delivered by hand to at least one of the
individuals listed above.

XXX **BY ELECTRONIC SERVICE:** I caused the document(s) to be delivered by e-mail to the
individuals listed above, and, to my knowledge, the transmission was reported as complete and
without error.

I declare under penalty of perjury under the laws of the State of California and the United States that the
foregoing is true and correct. Executed on **May 12, 2021**, at Los Angeles, California.

23 *David Zelenski*
24 _____
25 David Zelenski