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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **COUNTY OF SACRAMENTO**

16 ERICA MORRIS, YOLANDA ORTEGA-
17 CALBERT, MARIBEL BLANDINO, and
18 DORETHA HUGHES, individually, on
19 behalf of themselves and on behalf of all
20 persons similarly situated,

21 Plaintiffs,

22 vs.

23 THE PERMANENTE MEDICAL GROUP,
24 INC., a California Corporation; and DOES
25 1 through 50, inclusive,

26 Defendants.

CASE NO.: 34-2022-00332012-CU-OE-GDS

[Consolidated with Case No. 34-2022-
00332023-CU-OE-GDS]

**DECLARATION OF YOLANDA ORTEGA-
CALBERT IN SUPPORT OF PLAINTIFFS'
MOTION FOR FINAL APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: September 5, 2025

Time: 9:00 a.m.

Judge: Hon. Jill H. Talley

Dept: 23

Date Filed: December 28, 2022

Trial Date: Not set

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1 I, Yolanda Ortega-Calbert, declare as follows:

2 1. I am a former employee of The Permanente Medical Group (“Defendant” or
3 “TPMG”). The facts stated in this declaration are personally known to me based on my experience
4 working for Defendant. If called to testify, I could and would competently testify to the following.

5 2. I submit this supplemental declaration in support of Plaintiffs’ Motion for Final
6 Approval of Class Action Settlement.

7 3. I worked for Defendant from approximately 2006 to 2022 as an Addiction Medicine
8 Counselor.

9 4. I retained counsel to represent me in the above-entitled action on a pure contingent
10 fee basis. Although I knew that I did not have to pay out of my pocket if there was no recovery, I
11 understood that I ran the risk of potentially being liable for certain fees and costs if my case
12 ultimately was not successful. However, because of the wage-and-hour violations I experienced
13 while working for Defendant, I chose to pursue this lawsuit in spite of my fear of possibly being
14 liable for thousands of dollars in attorneys’ fees and costs. I wanted to ensure that Defendant paid me
15 and other TPMG employees what was owed to us, and to be held accountable for their practice of
16 not properly compensating TPMG Associates for all hours worked and noncompliant meal and rest
17 breaks, not reimbursing us for expenses we incurred in connection with our work for Defendants,
18 among other wage-and-hour issues.

19 5. I understand that this is a class action and that I have been acting, and will continue to
20 act as necessary, as a representative for all the other current and former TPMG employees in
21 California during the class period. I understand that the other California non-exempt TPMG
22 employees and I together are the “class,” and that the claims asserted in this action are brought not
23 only on my behalf but are also brought on behalf of the entire class.

24 6. I am familiar with the claims asserted in this action and understand the bases for the
25 claims. I also believe that my claims are typical of the claims of other class members because to my
26 knowledge Defendant applied the same policies and practices (e.g., time rounding) to me and the
27 other class members and treated us in the same way throughout the relevant time period.

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1 7. Throughout the case, I have always had the best interests of the class in mind. I have
2 worked hard on their behalf and have not put my own interests ahead of the interests of the other
3 class members.

4 8. I am not aware of any conflicts that exist between my interests and the interests of the
5 class that would impair or affect my ability to serve as representative for the class.

6 9. I extensively participated in this action from the outset and assisted my attorneys at
7 the planning and research stages of this case even before a lawsuit was filed. I spent many hours on
8 the telephone with my attorneys describing Defendant's operations, policies and practices, my work
9 assignments, my compensation, my work hours, and other issues related to the case, as well as case
10 developments, including, but not limited to, the mediation and settlement.

11 10. I provided my attorneys with all the employment documents I could find that they
12 requested. I also helped my attorneys develop strategies as to what documents and information
13 needed to be obtained from Defendant to support the claims that I chose to bring on behalf of the
14 class.

15 11. In late 2022, before my lawsuit was filed, I had multiple discussions with my
16 attorneys regarding the work I performed for TPMG and the issues involved in my lawsuit. It is my
17 understanding that the information I provided to my attorneys was used to prepare the complaint that
18 was filed to initiate this lawsuit.

19 12. I made myself available, by phone, for the full day for the mediation in this case in
20 September 2024.

21 13. I also reviewed the settlement agreement in this case and signed the final version.

22 14. I have assisted the class through the final approval process and am prepared to assist
23 the class through the distribution as may be necessary.

24 15. I understand that 49,999 current and former employees of Defendants will now
25 receive payments they may not otherwise have recovered but for the initiation of this case.

26 16. I also understand that the Settlement Administrator mailed the Notice Packet to the
27 Class on June 10, 2025, including myself. I am informed that through their efforts, the Settlement
28 Administrator successfully reached and delivered the Notice Packets to 49,756 of the 49,999 Class

1 Members, which represents 99.51% of the Class. I understand that no Class Members have
2 submitted an objection to the Settlement. I also understand that only 12 Class Members have
3 requested exclusion and that over 99.97% of the Class Members will therefore participate in the
4 Settlement and receive an individual settlement payment.

5 17. I believe the fact that 99.51% of the Class received direct notice of the Settlement
6 together with the fact that 99.97% of the Class elected to participate in the Settlement supports the
7 position that the Settlement is fair, adequate and reasonable.

8 18. I am informed that at least \$6,801,166.67 will be distributed to the Class in
9 individual settlement payments. I understand that the average settlement payment is approximately
10 \$136.07 and the highest settlement payment is \$225.68.

11 19. To date, I have not received any benefits as a result of prosecution of the action.

12 20. I understand that my attorneys will request that I be awarded a service award in the
13 amount of \$20,000 for my efforts as a class representative, which I took on even prior to the case
14 being filed. I understand that this service award is not guaranteed, but must be approved by the
15 Court. I also understand that the requested award is intended to be commensurate with the risks I
16 faced as a representative Plaintiff, the time and stress involved in my commitment to this position
17 over the past few years, and value that I brought to the case over the years.

18 21. I have provided considerable time and effort on behalf of the class members who
19 stand to benefit from the Settlement, if it is finally approved. I estimate that I have spent
20 approximately 85 hours over the past two-and-a-half years on this case.

21 22. I was aware that, as a class representative, I had a duty to make myself available for
22 proceedings. I took this duty very seriously, and made certain to put the needs of the class members
23 above my own. I remained available and ready to contact my attorneys and their staff if at any time I
24 felt that they did not have the most up-to-date and current information.

25 23. I willingly agreed to participate in this case with no guarantee of personal benefit. By
26 filing this lawsuit, I understood that I would be exposing myself to the risk of retaliation or trouble
27 finding employment as a result of my role in this action. I was also aware that by filing this lawsuit, I
28 would be on the record publicly as a lead plaintiff in a claim for wages and penalties owed to me and

1 TPMG employees. I felt then, as I do now, that it was more important to do the right thing and
2 champion this case on behalf of the greater good.

3 24. It is my opinion that the settlement is fair, reasonable, and adequate because it will
4 put real, significant amounts of money into the hands of the TPMG employees who, in my opinion,
5 were not paid all of the wages and penalties that they were entitled to have been paid.

6 25. I believe that the time, effort, and information I provided to my attorneys helped to
7 make this Settlement possible. For these reasons, I believe the enhancement payment requested is
8 fair and reasonable, and respectfully request that this Court grant final approval of it.

9 I declare, under penalty of perjury, under the laws of the State of California and the United
10 States, that the foregoing is true and correct.

11 Executed on 07/31/25, in Vacaville, California.

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13  Yolanda Ortega-Calbert (Jul 31, 2025 14:15:12 PDT)

14 Yolanda Ortega-Calbert
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