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14 *Attorneys for Plaintiffs and the Class*

15 **SUPERIOR COURT OF CALIFORNIA**
16 **COUNTY OF SAN FRANCISCO**
17 **UNLIMITED JURISDICTION**

18 SHELBY STEWART, CHARLETA
19 DABROWSKI, BENEDICT JOHNSON, and
KENYA MAYFIELD, on behalf of themselves
and all others similarly situated,

20 **Plaintiffs,**

21 v.

22
23 KAISER FOUNDATION HEALTH PLAN, INC.,
24 KAISER FOUNDATION HOSPITALS, THE
PERMANENTE MEDICAL GROUP, INC., and
25 SOUTHERN CALIFORNIA PERMANENTE
MEDICAL GROUP,

26 **Defendants.**
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Case No. CGC-21-590966

**DECLARATION OF CHARLETA
DABROWSKI IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
SETTLEMENT APPROVAL AND
APPLICATION FOR SERVICE
AWARDS**

1 I, Charleta Dabrowski, declare as follows:

2 1. I make this statement on the basis of my personal knowledge and, if called as a
3 witness, could and would testify as to its contents. I am a Class Representative in this lawsuit.

4 2. Since retaining Medina Orthwein LLP and Lieff, Cabraser, Heimann & Bernstein,
5 LLP (collectively "Class Counsel"), I have stayed in regular contact with my attorneys regarding
6 the status of the case. Class Counsel have also consulted me throughout the investigation,
7 prosecution of claims, and settlement discussions with the Defendants.

8 3. I understand the responsibilities of a Class Representative and I have fulfilled, and
9 I continue to fulfill, my duties to the Class. I have been actively involved in all aspects of this
10 case, as described more fully below. On many occasions, I have provided Class Counsel with
11 input and advice regarding various aspects of company practices and facts supporting legal
12 claims, as well as potential interventions such as those reflected in the terms of the settlement. I
13 have vigorously represented the Class's interests pursuant to my fiduciary duties to the Class I
14 represent.

15 4. I was not promised any amount of money to serve as a Class Representative, or in
16 connection with my approval of this settlement or any prior settlement with Defendants. My
17 approval of this Settlement is based on my view, in light of the record and the risks, that it is in
18 the best interests of the Class.

19 5. Class Counsel consulted me about the settlement negotiations with Defendants as
20 they occurred, and I authorized my attorneys in these negotiations. I authorized this proposed
21 settlement with the Defendants for over \$11.5 million, and I believe that the proposed settlement
22 is fair, adequate, and reasonable.

23 **Benefits to the Class From My Actions as a Class Representative**

24 6. In my role as Class Representative, I have expended substantial time and effort (as
25 more fully explained below) to perform actions that have benefited the Class at large.

26 7. Since I first retained Class Counsel in January 2019, I have spent well over 150
27 hours fulfilling my role as a Class Representative in this case, including participating in informal
28 discovery and mediation. A summary of my activities is as follows:

- 1 a. Meeting with and speaking with Class Counsel on scores of
2 occasions as part of the investigation of the case, with calls, Zoom meetings, or in-person
3 meetings often lasting over an hour and sometimes as often as several times a day, and additional
4 communications by way of frequent and regular email correspondence;
- 5 b. Preparing, reviewing, and finalizing my complaint;
- 6 c. Reviewing and/or verifying drafts of key documents, including
7 without limitation, Plaintiffs' Mediation Statement, Defendants' Mediation Statement, the
8 programmatic relief proposal, and the settlement documents;
- 9 d. Gathering documents and other potential evidence about
10 Defendants and about my claims to provide to Class Counsel, as well as helping my attorneys
11 understand Defendants' practices and potential witnesses so my attorneys could formulate proper
12 investigatory requests;
- 13 e. Meeting with my attorneys to review and discuss evidence
14 produced by Defendants and the work of our experts to assess classwide issues;
- 15 f. Preparing for, attending, and participating in mediation sessions in
16 San Francisco, and discussing the strategy and progress of all mediations and settlement
17 documentation in the case; and
- 18 g. Participating in regular conversations with class members about the
19 status of the case.

20 **Reasonable Fears of Workplace Retaliation**

21 8. I remain a part of the healthcare industry. Given this close-knit industry, and the
22 prominence and power of the Defendants in this case, I have taken substantial risks in my own
23 career by stepping forward as a Class Representative here. Although it may have been safer not
24 to file such a public class action, I took the risk that other companies will not hire me or that
25 patients or clients might not want to work with me because I wanted to help other Black
26 employees and those across the industry. The risk of serving as a Class Representative in this
27 action will continue throughout my career.

28 I declare under penalty of perjury under the laws of California and the United States that


1 the foregoing is true and correct.

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3 Executed on December 14, 2021 in Bay Point, California.

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Charleta Dabrowski

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