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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LESLIE AVANT, on behalf of himself and all others
similarly situated,

Plaintiff,

vs.

VXL ENTERPRISES LLC, *et al.*,

Defendants.

Case No. 4:21-cv-02016-YGR

**DECLARATION OF JANELLE
HERNANDEZ AVITIA IN SUPPORT OF
MOTION FOR APPROVAL OF
SERVICE AWARD**

JOHNNYE DUFF, *et al.*,

Plaintiffs,

vs.

VXL ENTERPRISES LLC, *et al.*,

Defendants.

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3 I, Janelle Hernandez Avitia, hereby declare under penalty of perjury pursuant to 28 § 1746 that the
4 following is true and correct:

5 1. I make this declaration based on my personal knowledge.

6 2. I am a Named Plaintiff in the above-captioned consolidated action against Defendants
7 VXL Enterprises LLC and Matthew Crouse (collectively, “Defendants”).

8 3. Between May 2020 and June 2020, I worked for Defendants as a registered nurse at
9 the Federal Correctional Institution, Lompoc.

10 4. During this lawsuit, I have spent a substantial amount of my personal time working
11 closely with my attorneys. Before the Class Action Complaint in the *Duff* action was filed, I spent
12 time in November 2021 assisting Class Counsel with investigating the federal prison claims. I spoke
13 with counsel regarding my work experience with Defendants, searched for and provided various
14 documents, including emails regarding policies and operations while working for Defendants. My
15 attorneys used this information to determine what claims to bring and to prepare the Class Action
16 Complaint in the *Duff* action and the Consolidated Class Action Complaint in the above-captioned
17 consolidated litigation.

18 5. Once the case commenced, I communicated with counsel about the status of case and
19 I have spent personal time strategizing with my attorneys as the case moved forward. These
20 communications concerned but were not limited to communications responding to Defendants’
21 discovery requests.

22 6. In November and December 2022, I reviewed Defendants’ discovery requests,
23 conferred with class counsel to answer questions and review draft responses to Defendants’
24 documents requests and interrogatories and spent time searching for documents.

25 7. Further, I attended a settlement conference via Zoom in September 2022. I also
26 cleared my schedule for a settlement conference scheduled to take place in June 2022, which was
27 canceled by Defendants at the last minute due to unforeseen circumstances.

28 8. In sum, I have been significantly involved with this litigation from the outset, and

1 during that time I have contributed a substantial amount of my own time to the prosecution of these
2 claims. I estimate that in total I have spent more than 25 hours working on this case.

3 9. Despite the potential risk that filing a class action challenging the employee practices
4 of VXL could make it difficult for me to find further work in the medical field, I was willing to
5 assume the risks because I felt strongly about the importance of this case.

6 10. Given the time and effort I put into this case, the risks I assumed in filing and
7 litigating this case, and the recovery of \$1.2 million, I respectfully request that the Court grant final
8 approval of the service payment of \$5,000.

9 10 / 05 / 2023
10 Dated: _____



11 _____
12 Janelle Hernandez Avitia

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