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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 JOHNNYE DUFF
IN SUPPORT OF MOTION FOR
APPROVAL OF SERVICE AWARD**

JOHNNYE DUFF, *et al.*,

Plaintiffs,

vs.

VXL ENTERPRISES LLC, *et al.*,

Defendants.

1
2 I, Johnnye Duff, hereby declare under penalty of perjury pursuant to 28 § 1746 that the following is
3 true and correct:

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

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

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

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

17 5. Once the case commenced, I regularly communicated with Class Counsel about the
18 status of case, and I have spent many hours of my personal time strategizing with my attorneys as
19 the case moved forward. These communications included, but were not limited to, communications
20 responding to Defendants’ discovery requests.

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

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

27 8. In sum, I have been significantly involved with this litigation from the outset, and
28 during that time I have contributed a substantial amount of my own time to the prosecution of these

1 claims. I estimate that in total I have spent more than 25 hours working on this case.

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

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

8 Dated: 10 / 03 / 2023
9 _____



10 _____
11 Johnnye Duff
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| Title | Duff Declaration to be signed 10.2.23.pdf |
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