

1 Felicia Medina (SBN 255804)  
fmedina@medinaorthwein.com  
2 Jennifer Orthwein (SBN 255196)  
jorthwein@medinaorthwein.com  
3 Shauna Madison (SBN 299585)  
smadison@medinaorthwein.com  
4 MEDINA ORTHWEIN LLP  
5 230 Grand Avenue, Suite 201  
Oakland, CA 94610  
6 Telephone: (510) 823-2040  
7 Facsimile: (510) 217-3580

8 Kelly M. Dermody (SBN 171716)  
kdermody@lchb.com  
9 Jallé H. Dafa (SBN 290637)  
jdafa@lchb.com  
10 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP  
11 275 Battery Street, 29th Floor  
San Francisco, CA 94111  
12 Telephone: (415) 956-1000  
13 Facsimile: (415) 956-1008

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.**  
27  
28

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 Lief, 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.

2

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

4

5

  
\_\_\_\_\_  
Charleta Dabrowski

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28