

1 UNITED STATES DISTRICT COURT  
2 NOTHERN DISTRICT OF CALIFORNIA

3 )  
4 ) Case Number: C 13-2858  
5 BOBBIE PACHECO DYER and PATRICIA )  
6 STALLWORTH, on behalf of themselves and ) DECLARATION OF PATRICIA  
7 all others similarly situated, ) STALLWORTH  
8 )  
9 Plaintiffs, )  
10 )  
11 )  
12 vs. )  
13 )  
14 )  
15 WELLS FARGO BANK, N.A., )  
16 )  
17 Defendant. )  
18 )  
19 )  
20 )  
21 )  
22 )  
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25 )  
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27 )  
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12  
13 I, PATRICIA STALLWORTH, under penalty of perjury declare as follows:  
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15 1. My name is Patricia Stallworth. I am one of the named Plaintiffs in this  
16 lawsuit.  
17

18 2. I am a high school graduate and attended some college. I am currently  
19 employed at Waterstone Mortgage.

20 3. I decided to file this case as a class action instead of as an individual action  
21 as I felt that all of the employees that had been underpaid in connection with their work should  
22 be compensated fairly, not just me.  
23

24 4. Before this case was filed as a class action, John Yanchunis explained to me what  
25 a class action case is about and my responsibilities as a class representative. I believe that as a  
26 class representative it is my utmost obligation to serve all persons in this class equally and fairly,  
27 to represent the class as a whole when making any decisions, to ensure that the class is not  
28

1 harmed by any of my actions or decisions. In order to do this, it is important that was involved  
2 with the complaint, that I reviewed all documents to include the complaint itself and amended  
3 complaint. Additionally, I provided specific insight and information based on my personal  
4 knowledge. I do believe that I accomplished this through my role and participation on behalf of  
5 the class to include being a meaningful part of the mediation.  
6

7 5. It is and has been my understanding that as a class representative I am entitled to  
8 receive my share of any settlement or judgment as calculated for every other class member . I  
9 have not been promised anything in addition to this.

10 6. I believe I was an active and important participant in this case; my initial  
11 discussions regarding the specifics of the case were very detailed and informative, I assisted with  
12 reviewing and making additions to the complaint, provided my personal documents and  
13 explained them in great detail over many conversations, spent a half day in a deposition, flew  
14 across the country for 3 days to attend the mediation, actively participated in the mediation with  
15 counsel, as well as speaking directly to the Defendant in the case during said mediation. I am the  
16 sole caregiver to my beautiful 6 year old daughter, and I had to leave her with another family as  
17 well as miss work to attend to this mediation.  
18  
19

20 7. I have not kept an actual log of time with respect to this case; however, I spent  
21 many many hours in active participation. This includes prior to the complaint being filed many  
22 hours discussing specifics and reviewing documents that support the claim; helping to educate  
23 counsel of the many aspects important to the case based on my personal experience; thoroughly  
24 reading all documents provided to me and commenting on such, preparing for deposition by  
25 reading my entire 12 plus year personnel file and reviewing all commission worksheets for over  
26 a 2 year period; traveling across the country from Florida to California to attend the mediation;  
27  
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1 diligent research important to the mediation, active participation in the mediation to include  
2 direct communications with the Defendant, in all I have spent countless hours on behalf of the  
3 class.

4 8. I fully participated in this mediation and believe I was an important part of it. I  
5 was able give input to counsel and discuss all aspects of the complaint that were brought forth  
6 during mediation. Additionally, at a time when the mediation seemed to be going nowhere, I  
7 along with the other plaintiff, was able to speak directly with the Defendant's representative. I  
8 was able to share directly and very personally the reasons for bringing this complaint. I believe  
9 it was a very positive exchange for the class.  
10

11 9. I was involved in the decision to settle the case and agreed to the terms of the  
12 settlement as a fair compromise for the class given the potential roadblocks that may have been  
13 faced and the real possibility that no recovery could have been a possible outcome. I believed  
14 this settlement to be in the best interest of the class.  
15

16 10. I have not been promised nor do I expect to receive anything in addition to what I am  
17 entitled to as a regular class member. I have not been promised any type of incentive award for  
18 my participation, nor would I make any decisions based on any such nonsense.  
19

20  
21 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury, that the foregoing  
22 statements are true and correct.  
23

24  
25 Executed this 6th day of February, 2014.

26 Patricia Stallworth  
27 PATRICIA STALLWORTH  
28