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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JULIA BERNSTEIN, LISA MARIE SMITH,  
and ESTHER GARCIA, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

VIRGIN AMERICA, INC.; ALASKA  
AIRLINES, INC. and Does 1-10, inclusive;

Defendants.

Case No. 15-cv-02277-JST

**DECLARATION OF ESTHER  
GARCIA IN SUPPORT OF  
PLAINTIFFS' MOTION TO  
APPROVE PLAN OF ALLOCATION,  
AWARD SERVICE AWARDS TO  
CLASS REPRESENTATIVES, AND  
AWARD ATTORNEYS' FEES AND  
EXPENSES**

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1 I, ESTHER GARCIA, hereby declare as follows:

2 1. I submit this declaration in support of Plaintiffs' Motion to Approve the Plan of  
3 Allocation, Award Service Awards to Class Representatives, and Award Attorneys' Fees and  
4 Expenses.

5 2. I am over the age of 18 and am one of the named plaintiffs and class  
6 representatives in this action. I make this statement based on my personal knowledge and if  
7 called to testify, I would testify as follows.

8 3. Starting in August 2015, counsel and I had multiple meetings during which we  
9 discussed my work experience at Virgin and my interest in joining the lawsuit. I provided  
10 counsel with documents and information to help them build the case.

11 4. In October 2015, I authorized counsel to file an amended complaint, adding me as  
12 a named plaintiff in this action. Once the amended complaint was filed, I met with counsel to  
13 help with the completion of written discovery, including initial and amended responses to  
14 interrogatories, responses to admission requests, and responses to three sets of document requests.

15 5. In March 2016, I attended mediation with counsel to see if we could settle the case  
16 at that time. In preparation for mediation, I had several meetings with counsel during which I  
17 provided additional information and answered many questions. I was living in Los Angeles at the  
18 time, so I had to fly to San Francisco for the mediation. I was not able to work that day because I  
19 attended the entire mediation.

20 6. I also had a series of meetings with counsel to prepare for my deposition, including  
a meeting in-person in San Francisco the day before the deposition. My deposition occurred  
during the day on May 18, 2016. I was living in Los Angeles at the time, so I had to fly to San  
Francisco for the deposition and was not able to work for two days. The deposition took a full  
day, not including my previous preparation time with counsel. During the deposition, I was fully  
attentive to the deposition and was unable to do my regular work back in L.A.



1           7. I have been closely involved in this action ever since I began speaking with  
2 counsel in August 2015. My participation in this case has included my gathering, reviewing, and  
3 submitting to counsel hundreds of pages of documents related to my work at Virgin. In 2016, in  
4 response to Virgin requesting phone records, I spent several hours digging up and producing to  
5 counsel my previous cell phone records. Counsel and I have had extensive and multiple  
6 in-person and phone meetings since 2015. I have responded to an overwhelming amount of  
7 written discovery and worked with counsel to prepare for mediation and my deposition. I  
8 traveled to San Francisco and sat for a full day deposition. I have discussed case strategy and  
9 settlement strategy with counsel. I have spoken at length with counsel during the appeal process  
10 and strategies for making sure the Class gets paid fairly. I have made myself available whenever  
11 the lawyers requested—I always responded promptly to emails and phone calls on my cell  
12 phone—and I have consistently contacted counsel on my own when I have had information for  
13 them or needed questions answered so that I could best serve in my role as a representative.

14           8. Throughout all my work on this case, I have been aware that I have not only been  
15 acting for myself, but on behalf of all Virgin flight attendants.

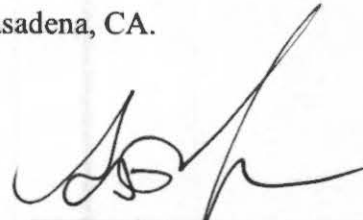
16           9. I have been actively involved in this case for the past seven-and-a-half years and  
17 have read many of the court filings to stay up-to-date on this case. I know that the Class has  
18 waited so long for this case to be completed, and I believe that we have reached a good and fair  
19 result after all these years.

20           10. Since joining this litigation in 2015 I have spent 130 hours working with class  
counsel on this case. My time has been spent as follows: pulling documents and gathering  
case-related information, attending phone and in-person meetings with counsel, attending  
mediation, attending my deposition, reading case-related filings, and communicating with class  
members about the status of the case.

1           11. Throughout the course of my involvement with this case, I have worked to be an  
2 effective representative, to stay informed on all the major developments in this case, and to  
3 volunteer my ideas and assistance to counsel. I have placed the interests of the class members  
4 before my own interests and have worked with counsel to achieve what I believe is a great result  
5 for the class members.

6           I declare under penalty of perjury that the foregoing is true and correct.

7           Executed this 15th day of May 2023, in Pasadena, CA.

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10 Esther Garcia