

1 OLIVIER & SCHREIBER LLP
2 Monique Olivier (SBN 190385)
3 (monique@os-legal.com)
4 475 14th Street, Suite 250
Oakland, CA 94612
Telephone: (415) 484-0980

5 KOSINSKI + THIAGARAJ, LLP
6 Alison Kosinski (SBN 261676)
7 (alison@ktlawssf.com)
8 Emily Thiagaraj (SBN 284634)
9 (emily@ktlawssf.com)
1300 Clay Street, Suite 600
Oakland, CA 94612
Telephone: (415) 230-2860

10 *Attorneys for Plaintiff and the Class*

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

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

18 Plaintiffs,

19 v.

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

22 Defendants.
23
24
25
26
27
28

Case No. 15-cv-02277-JST

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

1 I, JULIA BERNSTEIN, 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. I worked as a flight attendant for Virgin America from February 2009 through
9 June 2012. At the beginning of my employment with Virgin, I earned \$19.00 per hour. At the
10 time of separation I earned \$25.00 per hour. I worked as a flight attendant for my entire time
11 while employed at Virgin.

12 4. In early 2015, counsel and I had multiple meetings to discuss my time working as
13 a flight attendant at Virgin America and the potential wage claims that I had against the airline.
14 During these phone meetings, I provided counsel with detailed information about my work
15 experience as an ITM at Virgin America and answered the many questions they had for me about
16 the wage claims.

17 5. In March 2015, I carefully reviewed the complaint and authorized counsel to file
18 this action. Once the case was filed, I met with counsel several times to help with the completion
19 of written discovery, including initial and amended responses to three sets of interrogatories, an
20 initial and amended response to one set of admission requests, and responses to four separate sets
21 of document requests. I also provided written declarations in support of motions filed with the
22 Court.

23 6. In March 2016, I attended mediation with counsel to see if we could settle the case
24 at that time. In preparation for mediation, I had several meetings with counsel during which I
25 provided additional information and answered many questions. I was living in Los Angeles at the
26 time, so I had to fly to San Francisco for the mediation. I was not able to work that day because I
27 attended the entire mediation.
28

1 7. I also had a series of meetings with counsel to prepare for my deposition, including
2 in-person on the day before the deposition. My deposition occurred during the day on May 13,
3 2016. I was living in Los Angeles at the time, so I had to fly to San Francisco for the deposition
4 and was not able to work for two days. The deposition took a full day, not including my previous
5 preparation time with counsel. During the deposition, I was fully attentive to the deposition and
6 was unable to do my regular work.

7 8. I have been closely involved in this action since before it was filed. My
8 participation in this case has included my gathering, reviewing, and submitting to counsel
9 hundreds of pages of documents related to my work at Virgin. I remember spending hours in
10 2016 solely collecting all of my past cell phone records in response to one of Virgin’s discovery
11 requests. Counsel and I have had extensive and multiple meetings since 2015. I have responded
12 to an overwhelming amount of written discovery and worked with counsel to prepare for
13 mediation and my deposition. I traveled to San Francisco and sat for a full day deposition. I have
14 discussed case strategy and settlement strategy with counsel. I have spoken at length with
15 counsel during the appeal process and strategies for making sure the Class gets paid fairly. I have
16 made myself available whenever the lawyers requested—I always responded promptly to emails
17 and phone calls on my cell phone—and I have consistently contacted counsel on my own when I
18 have had information for them or needed questions answered so that I could best serve in my role
19 as a representative.

20 9. Throughout all my work on this case, I have been aware that I have not only been
21 acting for myself, but on behalf of all Virgin flight attendants. In my role as a class
22 representative, I have promptly responded to questions from other class members and helped to
23 keep them informed.

24 10. I have been actively involved in this case for the past eight years and have read
25 many of the court filings to stay up-to-date on this case. I know that the Class has waited so long
26 for this case to be completed, and I believe that we have reached a good and fair result after all
27 these years.


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

11. Since joining this litigation in 2015, I have spent approximately 150 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.

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

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

Executed this 16th day of May 2023, in Indianapolis, Indiana.


Julia Bernstein (May 16, 2023 13:36 EDT)

Julia Bernstein