

**19th DISTRICT COURT,
CITY OF GREELEY,
COUNTY OF WELD,
STATE OF COLORADO**

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CASE NUMBER: 2023CV30580

Court Address:
901 9th Avenue,
Greeley, Colorado 80631

Karen Alexander and Jared Gabelman, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

**Salud Family Health, Inc.,
Defendant.**

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**DECLARATION OF RICK D. BAILEY IN SUPPORT OF PLAINTIFFS’
MOTION FOR ATTORNEYS’ FEES, REIMBURSEMENT OF
COSTS AND EXPENSES, AND SERVICE AWARDS**

I, Rick D. Bailey, Esq, hereby declare as follows:

1. I am the founder of the Law Office of Rick D. Bailey, Esq., located in Denver, Colorado. I have personal knowledge of the information contained herein and, if called as a witness, could and would testify competently thereto.

2. I am admitted to practice law in Colorado, Illinois, and Wisconsin.

3. I am local Colorado counsel for Plaintiffs and the settlement class. A copy of my resume is attached as Exhibit A. I have been in the practice of law for more than 40 years and have been co-counsel and local counsel in a number of class action cases in Colorado and elsewhere. I was lead trial counsel in a products liability class action in the United States District Court of the District of Colorado that was tried before a jury in early 2015. I am also an experienced trial attorney in complex commercial cases and my most recent jury trial was in August 2023.

4. I have been diligent in and committed to representing Plaintiffs and the class as local counsel.

5. Over the course of this case, I have performed the following work:

- Prepared and filed the original complaint and associated documents in the *Alexander* case (which was initially filed in state court and then removed);
- Coordinated between the counsel in the *Alexander* and counsel in the *Gabelman* case

(which was originally filed in federal court);

- Provided advice to other Plaintiffs' and Class counsel regarding Colorado law and procedure;
- Prepared and filed the consolidated complaint and associated documents, as well as settlement documents in this case.
- Assisted in the filing of pro hac vice motions for other Plaintiffs' and Class counsel.
- Fielded numerous contacts from potential class members inquiring about this matter.

6. I have committed appropriate, yet substantial, time and resources to organizing and working collaboratively toward the advancement of the litigation and will continue to do so.

7. From the inception of the case until October 30, 2023, I have billed twenty-one (21) hours at the hourly rate of \$500/hr. for a total lodestar of \$10,500. I expect to bill approximately 10 more hours before the case is finalized.

8. From the inception of the case until October 30, 2023 I have recorded expenses and costs, which consist of filing fees and service of process fees. These have been reimbursed by lead Plaintiffs' and Class Counsel and are included in their declaration. I expect to record approximately \$200 in additional expenses consisting of filing fees before the case is finalized.

9. The foregoing data and information was obtained from the records and accounts kept in the ordinary course of business.

10. The work I performed in this case was done in coordination with lead Plaintiffs' counsel and was reasonable and necessary to the prosecution and settlement of this case.

11. Class Counsel prosecuted this case on a contingent-fee basis with no guarantee of recovery. Each firm was forced to forgo other employment in order to devote the time necessary

to pursue this litigation. Class Counsel advanced expenses with the understanding that we would be paid a fee and receive reimbursement for expenses only if successful and only if approved by the Court. Class Counsel have not been paid for any of their time in this litigation or reimbursed for any of the expenses incurred in this matter.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of October, 2023 in Denver, Colorado

/s/ Rick D. Bailey
Rick D. Bailey, Esq.