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Attorneys for PLAINTIFF

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

ALEXA LOWE, an individual, on behalf of
herself and on behalf of all persons similarly
situated,

Plaintiff,

v.

ASH'S FIRST LLC, a California Limited
Liability Company; NYRN MANAGEMENT
LLC, a California Limited Liability Company;
SCZZ COLLECTIVE, INC. dba UPNORTH, a
California Corporation; AREA 29 LLC dba Off
The Charts, a California Limited Liability
Company; NORMAN YOUSIF, an individual;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 37-2022-00010114-CU-OE-CTL

**DECLARATION OF ALEXA LOWE IN
SUPPORT OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: April 4, 2025
Time: 10:30 a.m.

Judge: Hon. Carolyn M. Caietti
Dept.: C-70

1 I, ALEXA LOWE, declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would competently
3 testify to the following facts from my own personal knowledge. I am the lead named Plaintiff in the
4 above wage and hour class action filed against Defendant ASH'S FIRST LLC, a California Limited
5 Liability Company; Defendant NYRN MANAGEMENT LLC, a California Limited Liability
6 Company; SCZZ COLLECTIVE, INC. dba UPNORTH, a California Corporation; AREA 29 LLC dba
7 Off The Charts, a California Limited Liability Company; NORMAN YOUSIF, an individual
8 (hereinafter "Defendants").

9 2. This declaration is being submitted in support of Plaintiff's motion for Preliminary
10 Approval of Class Action and PAGA Settlement.

11 3. I believe that I am, have been, and will continue to represent the interests of the class
12 fairly and adequately. I have claims that are typical of the claims the Class Members that I am seeking
13 to represent.

14 4. I was employed by Defendant from May 2021 to September 2021, as a non-exempt
15 employee. At all times during my employment, I was denied legally compliant meal and rest periods,
16 minimum wages and overtime compensation. Throughout my employment, I was subject to
17 Defendants' written policies and procedures contained in, among other documents, the "Employee
18 Handbook."

19 5. Generally, my lawsuit claims that Defendants failed to provide compliant meal and rest
20 periods, failed to pay for all time worked, failed to pay overtime at the correct regular rate of pay,
21 failed to furnish accurate itemized wage statements, failed to reimburse for mandatory business
22 expenses, failed to pay all wages upon separation, and violations of the Private Attorneys General Act
23 ("PAGA").

24 6. I believe that my claims are typical of the claims of the Class Members that I am seeking
25 to represent because I was subject to the same alleged unlawful employment policies and practices at
26 issue in this action, including but not limited to, Defendants' failure to provide complaint meal and
27 rest periods, failure to pay overtime and meal period premiums at the correct regular rate of pay, failure
28 to reimburse for mandatory business expenses, failure to furnish accurate itemized wage statements,

1 failure to pay for all hours worked, and failure to pay all wages when due. Factually, Defendants'
2 policies and practices apply class wide, and Defendants' liability can be determined by facts common
3 to all members of the Class.

4 7. Further, there is no conflict between my interests and the interests of the class that I am
5 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that
6 I was injured by the same company-wide policies and practices to which the proposed Class was
7 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
8 of the Class by initiating this litigation, undertaking extensive class discovery, and evaluating the
9 proposed settlement to assure that it is fair.

10 8. I understood that at the time I filed this action, as a Class Representative, I owed a duty
11 to the putative class members to faithfully prosecute this action with their best interests at the forefront
12 of every decision. I understood that I could not make any decision in this action for the sole benefit
13 of my personal interest. I understood that in executing this duty, I might have been asked to sacrifice
14 my personal best interests for the benefit of the interests of the putative class members. Nevertheless,
15 I knowingly and voluntarily undertook this duty in order to provide the broadest possible relief for my
16 former co-workers for what I perceived to be Defendants' unlawful wage and hour practices. I believe
17 that I faithfully executed the duties of a Class Representative throughout this litigation and will
18 continue to do until this litigation is fully and finally resolved.

19 9. I believe that the proposed settlement before the Court is fair, reasonable, and adequate,
20 and made in the best interest of the Settlement Class Members. Consequently, I respectfully, and
21 humbly, ask the Court to grant preliminary approval of the Settlement and all of its terms.

22 I declare under the penalty of perjury under the laws of the State of California that the foregoing
23 is true and correct. Executed 03/05/2025, at Escondido, (City/Location)
24 California.

25 By: Alexa Lowe
Alexa Lowe (Mar 5, 2025 07:57 PST)
26 ALEXA LOWE
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