

COHELAN KHOURY & SINGER

Isam C. Khoury (SBN 58759)

ikhoury@ckslaw.com

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

J. Jason Hill (SBN 179630)

jhill@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Telephone: (619) 595-3001/Facsimile: (619) 595-3000

DAVTYAN LAW FIRM, INC.

Emil Davtyan (SBN 299363)

support@davtyanlaw.com

880 E. Broadway

Glendale, CA 91205

Telephone: (818) 875-2008/Facsimile: (818) 722-3974

Attorneys for Plaintiff Gail Wilkerson, on behalf of herself, and all other similarly-situated employees

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN DIEGO

GAIL WILKERSON, on behalf of herself
and all other similarly-situated employees,

Plaintiff,

v.

INTUIT, INC., a Delaware Corporation; and
DOES 1 through 100, Inclusive,

Defendants.

Case No. 37-2020-00030371-CU-OE-CTL
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Gregory W. Pollack
Department C-71

CLASS ACTION

**DECLARATION OF GAIL WILKERSON IN
SUPPORT OF MOTION FOR ORDER
GRANTING PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT AND CLASS
REPRESENTATIVE SERVICE PAYMENT**

Date: September 30, 2022
Time: 9:30 a.m.
Dept: C-71
Judge: Honorable Gregory W. Pollack
Reservation: 2501884

[IMAGED FILE]

Complaint filed: August 28, 2020
Trial date: Not set

1 I, Gail Wilkerson, declare as follows:

2 1. I am a person over the age of eighteen years and am competent to complete this
3 declaration. All facts stated in this declaration are based on my own personal knowledge,
4 observations and experiences in relation to the claims made in the above-entitled matter. If
5 called to testify, I would and could testify to each of the following facts under oath and in open
6 court. I submit this declaration in support of the Motion for Preliminary Approval of Class
7 Action Settlement and to support my requested Class Representative Service Payment.

8 2. I am the sole named Plaintiff and proposed Class Representative in this case.

9 3. I formerly worked for Intuit as a Tax Support employee from January 2020
10 through March 2020. After leaving Intuit, I spoke with and retained the law firms of Cohelan
11 Khoury & Singer and Davtyan Law Firm, Inc. to pursue this case as a proposed class action.
12 The case challenges some things Intuit did, including failing to provide me with meal and rest
13 breaks, which also meant not being paid all my owed wages when I stopped working for the
14 Company. I was also required to use my personal cell phone and personal home computer and
15 wi-fi for business purposed without reimbursement. With the assistance of my attorneys, I filed
16 this lawsuit on August 28, 2020 in San Diego County Superior Court, and later amended the
17 lawsuit on November 2, 2020 to allow me to pursue PAGA civil penalties on behalf of the state
18 of California.

19 4. I am not related to any attorney working on the case, I am not aware of any
20 interests I have that are averse to the interests of the proposed class members, and I do not have
21 any conflicts that would keep me from adequately representing the class. I have been and
22 remain committed to prosecuting this case vigorously on behalf of the class. I decided to
23 become a representative and named plaintiff in this case, and I agreed to do so, in order to
24 represent the other employees who were affected by Intuit's illegal practices and experienced
25 similar violations as me.

26 5. Since August 2020, I have spoken at length with my attorneys, provided
27 documents and records in my possession, and signed authorizations so that my attorneys could
28 request additional employment and payroll records. We exchanged many emails and had

1 numerous telephone calls about the case from the beginning all the way through to this
2 settlement request.

3 6. I enjoyed working with my legal counsel and am satisfied that we were able
4 to come to a resolution so that a settlement will be paid out to my former coworkers at
5 Intuit.

6 7. I was advised filing my case as a class action came with certain duties and risks.
7 As a representative for the Class, I understood it could take longer to prosecute and settle this
8 case as a class action, rather than as an individual case for myself alone. As a named Plaintiff,
9 my name could be found by a simple Google search, and that when applying for a job in the
10 future, the fact that I was involved in this case might negatively impact those job opportunities.
11 Knowing the risks, I moved forward because I believed many of Intuit's policies were unfair.

12 8. I was informed that Intuit noticed my deposition, and that the preparation and
13 deposition itself could take multiple days. To familiarize me with the process, my attorneys
14 started my preparation early so I would be prepared for and comfortable when the date and time
15 were set. Although my deposition was not taken, I feel I would have been adequately prepared
16 and comfortable to give testimony on my experiences.

17 9. To help prepare for mediation, I spoke with my attorneys and provided
18 information and answers to their questions. Although I was unable to attend the mediation, I
19 made myself available by telephone to answer any questions my attorneys had of me. I
20 consented to the settlement and reviewed and signed the Memorandum of Understanding, and
21 later the longer Settlement Agreement.

22 10. Since this case was filed as class action, as the sole representative for the other
23 Intuit employees, I have put the interests of the Class above my own at all times. I understand
24 around 100 other employees will receive money from this settlement, they would not have had
25 otherwise. I believe that my contributions in filing this case, and moving it forward were vital to
26 the prosecution, and ultimately the resolution, of this matter.

27 11. After the Notice of Settlement describing the Settlement is mailed to all Class
28 Members, I am prepared to stay in contact with my attorneys to get updates and also plan to

1 speak with former co-workers who know me, or to those who reach out to me with questions
2 about the case and Settlement. I anticipate that my involvement in the case will remain
3 substantial, and will consume considerable time.

4 12. I understand that I may be entitled to a payment for my role as a class
5 representative and my work related to the case. I further understand that this additional payment
6 is not guaranteed and is subject to Court approval. My opinion about the fairness and adequacy
7 of the settlement in the case is not based on this potential payment.

8 13. My involvement in this case includes: (1) searching for and finding an attorney
9 to handle this case; (2) initiating my case and being an active participant throughout; (3)
10 numerous conferences and emails with my attorneys; (4) searching for and providing
11 information and documents to my attorneys; (5) facing the stigma and potential loss of job
12 opportunities for having filed a class action lawsuit against a former employer on behalf of the
13 Class; (6) preparing for my deposition, although not taken; (7) making myself available by
14 telephone the day of mediation; (8) consenting to the Settlement, and then reviewing and
15 signing the Memorandum of Understanding and later the Settlement Agreement; and (9) the
16 substantial time I spent on this case, both before and after it was filed is time lost from pursuing
17 other interests, and being with friends and family.

18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct. Executed on 3/9/2022 in E. Palo Alto,
20 California.

Gail Wilkerson

Gail Wilkerson