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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN FRANCISCO

BRITTANI POWELL, MELANIE
MCCONNAUGHY, and ROSCOE SIMPSON
individuals, on behalf of themselves, and on
behalf of all persons similarly situated,

Plaintiffs,

vs.

CORE COMMUNITY ORGANIZED RELIEF
EFFORT, a California Nonprofit Corporation
and DOES 1 through 50, Inclusive,

Defendants.

Case No. CGC-21-596527

**DECLARATION OF MELANIE
MCCONNAUGHY IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: September 4, 2023
Time: 9:30 a.m.

Judge: Hon. Samuel K. Feng
Dept.: 302

1 I, MELANIE MCCONNAUGHY, 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 CORE COMMUNITY ORGANIZED RELIEF
5 EFFORT, a California Nonprofit Corporation (hereinafter “Defendant”).

6 2. This declaration is being submitted in support of Plaintiffs’ motion for Preliminary
7 Approval of Class Action and PAGA Settlement.

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

11 4. I was employed by Defendant from April of 2020 to January 2, 2021 as a non-exempt
12 employee. At all times during my employment, I was denied legally compliant meal and rest periods,
13 minimum wages and overtime compensation. Throughout my employment, I was subject to
14 Defendant’s written policies and procedures contained in, among other documents, the “Employee
15 Handbook.”

16 5. Generally, my lawsuit claims that Defendant failed to pay for all time worked, including
17 reporting time pay and split shift premiums, failed to provide compliant meal and rest periods, failed
18 to reimburse for mandatory business expenses, failed to furnish accurate itemized wage statements,
19 and failed to pay all wages upon separation.

20 6. I believe that my claims are typical of the claims of the Class Members that I am seeking
21 to represent because I was subject to the same alleged unlawful employment policies and practices at
22 issue in this action, including but not limited to, Defendant’s failure to provide compliant meal and
23 rest periods, failure to reimburse for mandatory business expenses, failure to furnish accurate itemized
24 wage statements, failure to pay for all hours worked, including reporting time pay and split shift
25 premiums, and failure to pay all wages when due. Factually, Defendant’s policies and practices apply
26 class wide, and Defendant’s liability can be determined by facts common to all members of the Class.

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

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

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

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed Jul 27, 2023, at Burbank, California.

By: Melanie McConnaughy
Melanie McConnaughy (Jul 27, 2023 17:02 PDT)
MELANIE MCCONNAUGHY