

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)
Sydney Castillo-Johnson (State Bar #343881)
Perssia Razma (State Bar #351398)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 599-8292
Facsimile: (619) 599-8291
jlapuyade@jcl-lawfirm.com
scastillo@jcl-lawfirm.com
prazma@jcl-lawfirm.com

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)
5440 Morehouse Dr., Ste 3600
San Diego, CA 92121
Telephone: (619)255-9047
Facsimile: (858) 404-9203
shani@zakaylaw.com

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

PAOLA VILLALVAZO, an individual, on
behalf of herself, and on behalf of all persons
similarly situated,

Plaintiffs,

vs.

SK MARKET, INC., a California corporation;
ADVANCE FOOD MARKET, INC., a
California corporation; JAY’S MARKET INC.,
a California corporation; and DOES 1 through
50, Inclusive;

Defendants.

Case No: 21STCV39911

**DECLARATION OF PAOLA
VILLALVAZO IN SUPPORT OF
PLAINTIFF’S MOTION TO APPROVE
PAGA SETTLEMENT**

Date: February 1, 2024
Time: 8:30 a.m.
Reservation ID: 123666307933

Dept.: 34
Judge: Michael P. Linfield

1 I, PAOLA VILLALVAZO, 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 named Plaintiff in the above
4 PAGA action filed against SK Market, Inc. (hereinafter, "Defendant").

5 2. I am submitting this declaration in support of Plaintiff's Motion to Approve PAGA
6 Settlement.

7 3. I seek to represent the State of California and a group of Aggrieved Employees consisting
8 of all current and former non-exempt employees who worked for Defendant SK Market, Inc.
9 ("Defendant") and performed work in California between August 25, 2020, to September 15, 2023. I
10 worked for Defendant as a non-exempt employee in California during 2020. At all times during my
11 employment, I was entitled to legally mandated meal and rest periods, minimum wage and overtime
12 compensation. During my employment, Defendant failed to, among other things, pay for all hours
13 worked, provide compliant meal and rest periods, furnished inaccurate itemized wage statements,
14 reimburse for mandatory business expenses, and provide suitable seating. Throughout my
15 employment, I was subject to Defendant's written policies and procedures contained in, among other
16 things, the "Employee Handbook."

17 4. I and the Aggrieved Employees, that I am seeking to represent, were subject to the same
18 alleged unlawful employment policies and practices at issue in this action, including but not limited
19 to, Defendant's failure to pay for all hours worked, failure to provide compliant meal and rest periods,
20 failure to pay for all hours worked, failure to reimburse for mandatory business expenses, and failure
21 to provide suitable seating. Factually, Defendant's policies and practices apply to me and all
22 Aggrieved Employees, and Defendant's liability can be determined by facts common to all.

23 5. Further, there is no conflict between my interests and the interests of the Aggrieved
24 Employees that I am seeking to represent. My interests are entirely coextensive with the interests of
25 the Aggrieved Employees. I allege that I was injured by the same company-wide policies and practices
26 to which the Aggrieved Employees were subjected and seek the same relief. I have already
27 demonstrated my ability to advocate for the interests of the state and the Aggrieved Employees by
28 initiating this litigation, communicating with PAGA Counsel about the claims as they apply to myself

1 and others, undertaking extensive document evaluation and evaluating the proposed settlement to
2 assure that it is fair.

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

12 7. **Review and Approval of Settlement:** A mediation was held on May 22, 2023. Even
13 though I could not attend, I was available by telephone to speak with my attorneys and did speak with
14 them regarding the mediation before it took place, as well as during the mediation itself. I was very
15 satisfied with the terms of the settlement that was agreed to by the parties. I reviewed and signed the
16 Memorandum of Understanding on November 15, 2023, and when the settlement papers were ready,
17 I again spoke with my attorneys and reviewed the settlement agreement which I signed on December
18 27, 2023.

19 8. **Participation:** Since I retained Counsel approximately twenty-seven months ago, I have
20 been actively involved with this action lawsuit performing the duties described above. While I did not
21 keep formal time records, I was in regular contact with my attorneys, reviewed important court filings,
22 and spent considerable time on the issues presented during the litigation and in the settlement process.
23 I estimate that I spent approximately 20 hours working on this case.

24 9. I believe that the proposed settlement before the court is fair, reasonable, and adequate,
25 and made in the best interest of the state and the Aggrieved Employees. I further support the fees being
26 requested by Plaintiff's Counsel in this matter.

27 10. Ultimately, I believe I did the right thing in pursuing this case on behalf of the Aggrieved
28 Employees who now stand to receive substantial monetary payments as a result of this case and

1 settlement. Consequently, I respectfully, and humbly, ask the Court to grant approval of the Settlement
2 and all of its terms.

3 I declare under the penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct. Executed 1/4, 2024, at Los Angeles (location/City), California.

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6 By:  Paola Villalvazo (Jan 4, 2024 09:03 PST)
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