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7 NAOMI MOJADDIDI, KIA SPURNEY, and all others similarly situated

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF SACRAMENTO**

10 **(UNLIMITED JURISDICTION)**

11 NAOMI MOJADDIDI, KIA SPURNEY, and
12 ANTOLIN NAJERA, on behalf of themselves
13 and all others similarly situated, the general
14 public, and as “aggrieved employees” on behalf
15 of other “aggrieved employees” under the Labor
Code Private Attorneys General Act of 2004,

16 *Plaintiff(s),*

17 vs.

18 ELITE DINERS, LLC, a California limited
19 liability company; ELITE DEVCO, LLC, a
20 California limited liability company; ELITE
21 SPORTS BAR GROUP, LLC, a California
22 corporation; SOCAL DINERS, LLC, a
23 California limited liability company; ELITE
BUSINESS ENTERPRISES, INC., a California
corporation; and DOES 1–50, inclusive,

24 *Defendant(s).*

Case No. 34-2020-00273090-CU-OE-GDS
Reservation #A-273090-001

**DECLARATION OF KIA SPURNEY
IN SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**



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1 **DECLARATION OF KIA SPURNEY IN SUPPORT OF PLAINTIFFS' MOTION FOR**
2 **PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

3 I, KIA SPURNEY, declare and state as follows:

4 1. I am a resident of the City of Hillsboro, in the State of Oregon and am over 18
5 years of age. I am the plaintiff in this action and am represented by David Spivak of The Spivak
6 Law Firm and Walter L. Haines of United Employees Law Group in this action. Except as
7 otherwise stated, I have personal knowledge of all matters set forth in this declaration and could
8 and would competently testify thereto if called upon to do so as a witness.

9 2. I understand that, as Class Representative, I have certain duties and responsibilities
10 to the Class Members and believe that I have fairly represented the interests of all Class Members
11 during the entire course of this case.

12 3. My counsel provided me with information regarding class actions, how they work,
13 and what my duties would be as the Class Representative. I agreed to serve as a Class
14 Representative so that I could seek to recover wages and penalties on behalf of myself and other
15 employees like me.

16 4. I understand that the Settlement in this case is subject to this Court's approval to
17 ensure that it is in the best interest of the Class as a whole. I have no conflicts with the Class.

18 5. I understand that my attorneys are submitting an application to this Court for a
19 Class Representative Service Payment to compensate me for my unique contributions to the
20 success of this action as the Class Representative in the amount of \$5,000.00. I believe this amount
21 is fair and reasonable compensation for my efforts in this case and the risks I have taken in
22 pursuing a fair recovery for the Class Members.

23 6. I have provided Defendants with a general release of any and all claims, known or
24 unknown, I may have against Defendants. By agreeing to settle the case in the best interest of the
25 Class Members, I have given up the right to pursue my individual claims for unpaid wages and
26 penalties and to recover substantially more for unpaid wages, interest, waiting time penalties, and
27 pay stub penalties. I did not seek an individual settlement for my claims at all, instead choosing
28 to prosecute this matter on behalf of my coworkers. By pursuing the claims of all Class Members,



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1 I have also rendered my own individual payment uncertain and delayed its payment by several
2 months (at the least).

3 7. As Class Representative, I assumed a fiduciary role to the Class. I agreed to (1)
4 consider the interests of the Class just as I would consider my own interests and, in some cases,
5 to put the interests of the Class before my own interests; (2) actively participate in the lawsuit, as
6 necessary, by among other things, producing documents to Defendants and giving depositions
7 and trial testimony if requested; (3) travel to give such testimony; (4) recognize and accept that
8 any resolution of the lawsuit by dismissal or settlement, is subject to court approval, and must be
9 designed in the best interest of the Class as a whole; (5) follow the progress of the lawsuit and
10 provide all relevant facts to my attorneys; (6) champion many other people with similar claims
11 and injuries because of the importance of the case and the necessity that all Class Members benefit
12 from the lawsuit; and (7) fight for a resolution in which the individual recoveries to each Class
13 Member, including me, may be relatively small. I agreed to shoulder all of these responsibilities
14 in exchange for a proportionate share of funds made available for distribution to the Class
15 Members. I had no guarantee of a Class Representative Service Payment. I have spent over many
16 hours of my time in connection with this case to date. The activities I have performed have
17 included, but have not been limited to: obtaining legal counsel, speaking with my legal counsel
18 on numerous occasions, over the phone, informing them of the terms and conditions of my
19 coworkers' employment, assisting them in gathering information, identifying the claims brought
20 in this case, gathering contact information for my former coworkers, contacting Class Members
21 about the lawsuit to arrange their communications with my attorneys, gathering documents from
22 my employment with Defendants, and being actively involved in the settlement process to ensure
23 a fair result for the Class as a whole. I also spent time carefully case related documents on my
24 own and with my counsel to make sure that the Settlement and other work my attorneys performed
25 are in the best interest of the Class Members. I have regularly contacted my counsel to follow the
26 progress of the case and will continue to do so.

27 8. Further, my counsel have advised me of the possibility that, if the case was lost, I
28 could have been ordered to pay Defendants' costs and even attorneys' fees in this case, which



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1 could have been thousands of dollars by the end.

2 9. Because I filed this lawsuit, there is a public record at the Court showing that I
3 brought a class action for unpaid wages against my former employer. The Class Representative
4 Service Payment to me of \$5,000.00 is not equal to the harm to my future career prospects that
5 this case may cause me.

6 10. Based on the time, risk, stigma, loss of benefits and income, and great outcome of
7 this case, I believe that the requested Class Representative Service Payment for me is fair and
8 reasonable. As such, I respectfully request that the Court award the requested Class
9 Representative Service Payment of \$5,000.00.

10 11. I declare under penalty of perjury of the laws of the State of California that the
11 foregoing is true and correct.

12 I declare under penalty of perjury of the laws of the State of California that the foregoing
13 is true and correct.

14 Executed on 03 / 05 / 2026 in Hillsboro, Oregon.

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16 

17 KIA SPURNEY,
18 Declarant
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