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ATTORNEYS FOR PLAINTIFF, LISSETTE NUNEZ PAREDES
AND THOSE SIMILARLY SITUATED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN MATEO
UNLIMITED JURISDICTION

LISSETTE NUNEZ PAREDES,
INDIVIDUALLY AND ON BEHALF OF THOSE
SIMILARLY SITUATED,

PLAINTIFF,

v.

JSN BAY CONTRACT, INC., A
CALIFORNIA CORPORATION, AND DOES 1
THROUGH 10, INCLUSIVE,

DEFENDANTS.

) CASE No. 20-CIV-02362

) **SUPPLEMENTAL DECLARATION**
) **OF ARACELY RIVERA IN SUPPORT**
) **OF PLAINTIFF'S UNOPPOSED**
) **MOTION FOR APPROVAL OF PAGA**
) **SETTLEMENT**

) **DATE: AUGUST 3, 2021**

) **TIME: 8:30 A.M.**

) **DEPT: 4**

) **JUDGE: HON. NANCY L. FINEMAN**

I, Aracely Rivera, declare as follows:

1. I am the President and CEO of JSN Bay Contract, Inc. ("JSN"). I have personal knowledge of the facts stated herein below, and if called to testify, I would competently testify to them.

2. JSN is small family-owned, locally operated business located in South San Francisco, CA. It provides cleaning and janitorial staff and services to commercial office buildings in the San Francisco Bay Area.

3. In March 2020, many of the offices and buildings that JSN serviced were forced to close indefinitely due to the emergency state and local government orders related to the COVID-19 Pandemic. As a result, JSN was abruptly forced to scale back its operations. This included laying off approximately 72% of its employees.

4. Over the next 15 months, the COVID-19 Pandemic and related office closures severely adversely impacted JSN's financial condition. For example, JSN's total income dropped by more than 71% and it lost over \$100,000 from 2019 to 2020.

5. Today, JSN still has not recovered financially from the effects of the COVID-19 Pandemic. It does not have the ability to pay PAGA penalties in excess of the settlement amount in the lawsuit brought by Plaintiff Lissette Nunez Paredes ("Plaintiff").

6. Prior to June 2020, JSN unintentionally issued wage statements to approximately 46 employees that did not contain the last four digits of the employee's social security number or an employee identification number. Upon being notified of this issue in approximately May or June 2020, JSN promptly corrected this inadvertent error in June 2020. With regard to the meal and rest break penalties sought by Plaintiff, JSN's policies and practices authorized and permitted employees to take compliant meal and rest periods at all relevant times.

7. In February 2021, Plaintiff settled various other individual claims that she had asserted against JSN separately from this Action. Nick Badii, Esq. of the law firm Lawyers for Employee & Consumer Rights represented Plaintiff in connection with these claims, which were asserted via a demand letter. These claims included: (1) Wrongful Termination in Violation of Public Policy; (2) Disability Discrimination and Disparate Treatment; (3) Failure to Engage in Interactive Process; and (4) Failure to Reasonably Accommodate Disabilities. As part of the settlement agreement, Plaintiff settled her individual claims in exchange for \$6,000, of which \$1,000 was paid in settlement of any wage-related claims Plaintiff may have had. Plaintiff was not represented by Kevin F. Woodall, Esq. in connection with these individual claims, and JSN did not pay any settlement monies to him or his law firm as part of the settlement of Plaintiff's individual claims.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct and that this declaration was executed on July 9, 2021, in South San Francisco, California.

Aracely Rivera
Aracely Rivera