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Attorneys for Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

ALICIA ORTEGA, BRYAN SHEPPARD,
individually and on behalf of other members of
the general public similarly situated and on
behalf of other aggrieved employees pursuant
to the California Private Attorneys General Act;
SHANTEANNA BROWN, RAYVEYONE
BROWN, individually, and on behalf of other
members of the general public similarly
situated

Plaintiffs,

vs.

SMARTGUARD, a California corporation; and
DOES 1 through 100, inclusive,

Defendants.

Case No. 34-2020-00278712-CU-OE-GDS

Honorable Lauri A. Damrell
Department 28

CLASS ACTION

**DECLARATION OF ALICIA ORTEGA
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

[Notice of Motion and Motion for
Preliminary Approval of Class Action
Settlement; Declaration of Proposed Class
Counsel (Annabel Blanchard); Declarations
of Proposed Class Representatives (Bryan
Sheppard, Shanteanna Brown, and
Rayveyone Brown); and [Proposed] Order
filed concurrently herewith]

Date: February 3, 2023
Time: 9:00 a.m.
Department: 28

Complaint Filed: May 15, 2020
FAC Filed: October 19, 2021
Trial Date: None Set

DECLARATION OF ALICIA ORTEGA

I, **Alicia Ortega**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the named plaintiffs in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Smartguard as an hourly-paid Security Guard from approximately November 2018 to approximately May 2019. I decided to seek legal advice about my work experiences with Smartguard. I contacted Lawyers *for* Justice, PC and spoke with attorneys there, including Arby Aiwazian. I wanted to do whatever I could to make sure Smartguard was held accountable for not paying its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 9 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for 12 hours discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act (“PAGA”) in general, and what it meant to be a named plaintiff, a class representative, and a PAGA representative.

3. I have spent over 22 hours meeting with my attorneys regarding the case and fulfilling my responsibilities as a class and PAGA representative, which included gathering documents concerning my employment with Smartguard reviewing documents with my attorneys and answering their questions, and providing guidance regarding the duties of hourly-paid, non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Smartguard. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained.

4. I was available to answer any questions my attorneys had, and available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as

possible and gave them as much information and identified as many documents as I could. I spent at least 16 additional hours speaking with my attorneys about the case, identifying potential witnesses, providing my attorneys with documents and information concerning the case, and also describing policies, practices, and procedures of Smartguard.

5. As far as the settlement is concerned, I spent about 5 hours reviewing the settlement agreement and about 2 hours asking questions and discussing the potential settlement with my attorneys before signing the settlement agreement.

6. I believe that I have done everything that my attorneys have asked of me and have tried, to the best of my ability, to represent the class and seek relief as a PAGA representative and for the State of California. I think my efforts helped to get the result obtained in this case, and as a class and PAGA representative, I respectfully request that the Court award me an enhancement payment in the amount of \$10,000.00 for my active participation in this case. Taking into consideration the time that I have dedicated to this case, I believe that this amount is reasonable.

7. I am not related to anyone associated with Lawyers *for* Justice, PC.

8. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive is whatever amount the Court awards as an enhancement payment, as well as my share of the settlement as a class member and as an aggrieved employee.

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

Executed this ⁰⁸⁻⁰²⁻²⁰²² ____ day of August 2022, at West Sacramento, California.

Electronically Signed
2022-08-02 18:45:55 UTC - 172.58.89.10
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Alicia Ortega