

1 AARON C. GUNDZIK (State Bar No. 132137)
2 REBECCA G. GUNDZIK (State Bar No. 138446)
3 GUNDZIK GUNDZIK HEEGER LLP
4 14011 Ventura Blvd., Suite 206E
5 Sherman Oaks, CA 91423
6 Telephone: (818) 290-7461
7 Facsimile: (818) 918-2316

8 MARSHALL A. CASKEY (State Bar No. 65410)
9 DANIEL M. HOLZMAN (State Bar No. 176663)
10 N. CORY BARARI (State Bar No. 295306)
11 CASKEY & HOLZMAN
12 24025 Park Sorrento, Ste. 400
13 Calabasas, CA 91302
14 Telephone: (818) 657-1070
15 Facsimile: (818) 297-1775

16 Attorneys for Plaintiff William Hall, individually
17 and on behalf of all others similarly situated

18 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
19 **FOR THE COUNTY OF LOS ANGELES**

20 WILLIAM HALL, individually and on behalf
21 of all others similarly situated,

22 Plaintiff,

23 vs.

24 CULPEPPER & ASSOCIATES SECURITY
25 SERVICES, INC. a Georgia corporation;
26 DOES 1 through 25,

27 Defendants.

Case No.: 20STCV15317

*Assigned to Hon. Daniel J. Buckley
Dept. SSC-1*

**DECLARATION OF WILLIAM HALL
IN SUPPORT OF PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

**Date: August 25, 2021
Time: 10:30 a.m.
Dept.: 1**

Complaint Filed: April 21, 2020

1 I, William Hall, declare as follows:

2 1. I am a competent adult, over the age of eighteen, and am the class
3 representative in this matter. I am the named plaintiff in this action who brought this action
4 against Defendant Culpepper & Associates Security Services, Inc. (“CASS” or
5 “Defendant”). The following is based upon my personal knowledge, and if called as a
6 witness I could and would competently testify thereto.

7 2. I worked as a security guard at two CASS locations in California since CASS
8 took over the security contract for those locations in December of 2019. While I worked
9 there, I was required to carry radios or mobile phones during my shifts. While I worked for
10 CASS, I could not leave an assigned site for any reason unless directed by authority and
11 could not leave my post until another officer was present because the property/site had to be
12 covered at all times. And, CASS did not include a fringe benefit payment in the regular rate
13 paid to me for the purpose of calculating my overtime rates of pay.

14 3. When I retained my attorneys, I learned some basic information about class
15 actions and I understood and accepted the fact that as a class representative I would have
16 significant responsibilities to the other class members as well as to the Court. I also
17 understood that I would need to respond truthfully and completely to any information
18 requests from my attorneys and to make myself available for any meetings, proceedings, or
19 other court hearings.

20 5. I am not aware of any claim that I am making that only applies to me and not
21 my fellow security officers. Nor do I believe I have any interest in the outcome of this case
22 that is in conflict with or is any different from the interests of the rest of these other former
23 employees.

24 6. In my involvement with this case, I have relied upon and continue to rely
25 upon the advice and guidance of my attorneys, Aaron Gundzik and Rebecca Gundzik of
26 Gundzik Gundzik Heeger LLP (formerly of Gartenberg Gelfand Hayton LLP) and Daniel
27 Holzman of Caskey & Holzman.

28

1 7. I did not make the decision to become involved in this class action lightly and
2 this decision posed many risks for me. I understood that because of my involvement in the
3 class action, I could be mistreated by CASS, as I was employed by CASS for most of the
4 time that the lawsuit was pending. My attorneys also informed me that if I was unsuccessful
5 I could be responsible for their litigation costs, which I understood might end up being
6 substantial in a class action. I was also concerned by the attention a publicly filed lawsuit,
7 and especially a class action, would attract. My name would be associated with a lawsuit
8 that I filed against my employer. I was aware that it is possible, and relatively easy, to
9 perform background checks of publicly filed documents on the internet, sometimes with
10 nothing more than a simple Google search. I was mindful that prospective employers might
11 find out that I sued a former employer, and that this could hurt my employability in the
12 future. In addition, the settlement agreement in this lawsuit requires that I enter into a
13 general release, which I understand is broader than the release that will bind other Class
14 Members. Nevertheless, I agreed to accept these risks because I felt that important rights
15 were at stake that affected everyone, and something ought to be done about it.

16 8. One of the reasons I engaged my attorneys is because I did not think it was
17 fair that we did not receive all of our meal breaks or rest breaks and were not paid for all of
18 our time or for all amounts due to us. I believe that CASS treated other security officers
19 similarly because I spoke with many of them about it. By filing this class action lawsuit, I
20 thought it would be an opportunity for me and my co-workers to get the wages due to us and
21 to force CASS to change its practices.

22 9. Both before and after filing the lawsuit, I engaged in lengthy conversations
23 with my attorneys about all aspects of this case and my job. I was prompt and responsive to
24 my attorneys' inquiries. I identified relevant witnesses to them, spoke with Class Members
25 about how they were treated when they worked for CASS, provided this information to my
26 attorneys, and provided my attorneys with many documents in my possession. I was
27 proactive and requested regular updates from my attorneys, which they provided. I also
28

1 asked questions so that I understood how everything worked. And, my attorneys explained
2 everything to me, including all of the documents I signed regarding the lawsuit.

3 10. In order to prosecute this lawsuit, I reviewed and collected all of my
4 documents in connection with my work for CASS. I spoke and met with my attorneys many
5 times to discuss the lawsuit and the proposed settlement. I had numerous calls and meetings
6 with them regarding the facts, helped them identify other employees who could provide
7 them information about their experience working for CASS, and identified several
8 documents regarding CASS's policies. I also missed a full day of work so that I could attend
9 the mediation. I helped my attorneys prepare for the mediation and I attended the mediation.
10 After the mediation, I had several meetings with my attorneys to discuss the proposed
11 settlement and the settlement agreement. In all, I estimate that I spent more than 80 hours on
12 this case.

13 11. I understand that the settlement agreement provides for a service payment to
14 me in the amount of \$10,000. I believe this amount is fair compensation for initiating and
15 helping to prosecute this case, for helping with the discovery and investigation, for preparing
16 for and attending the mediation, and for the risks I undertook. During that time until the case
17 was settled, I feared retaliation and negative consequences of suing CASS.

18 12. In addition to the work I performed to assist my attorneys while the case has
19 been ongoing, I am being required to enter into a broader release of claims against CASS
20 than are the other Class Members. Other than the settlement payment I will receive as a
21 member of the Class, I am receiving no compensation or other benefits in addition to the
22 service payment provided for in the settlement.

23 13. I have observed my attorneys work throughout this case. They have been
24 thorough, diligent, prompt, courteous, and professional, and I believe they are fully entitled
25 to the award of fees that they have requested for their hard work.

26
27 Dated: July 27, 2021



28 William Hall

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 14011 Ventura Blvd., Suite 206E, Sherman Oaks, CA 91423.

On July 30, 2021, I served the following document described as

**- DECLARATION OF WILLIAM HALL IN SUPPORT OF PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

on the interested parties in this action:

(X) by serving () the original (X) true copies thereof as follows:

Please see attached service list

() BY MAIL I caused such envelope to be deposited in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.	() BY FACSIMILE TRANSMISSION I caused said document(s) to be transmitted by facsimile transmission to the name(s) and facsimile telephone number(s) of the person(s) named on the attached service list. The facsimile machine telephone number of the sending facsimile machine was (818) 918-2316. A transmission report was issued by the sending facsimile machine confirming that the transmission was completed without error. A true and correct copy of said transmission report is attached hereto.
() BY OVERNIGHT DELIVERY Said document was placed in an envelope designated by the express service center and placed for collection in a box regularly maintained by said carrier with whom we have a direct billing account, to be delivered to the office of the addressee listed above on the next business day.	(XX) BY ELECTRONIC TRANSMISSION I caused the above-described document to be electronically served to the names and email addresses listed on the Service List attached hereto.

(X) STATE I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

() FEDERAL I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

(X) EXECUTED on July 30, 2021, at Sherman Oaks, California.



Nicole Salazar

SERVICE LIST

Bethany Pelliconi, Esq. Elisabeth Watson, Esq. SEYFARTH SHAW LLP 2029 Century Park East, Suite 3500 Los Angeles, CA 90067 Telephone: (310) 201-9233 Facsimile: (310) 551-8328 Email: bpelliconi@seyfarth.com ewatson@seyfarth.com <i>Attorneys for Defendant Culpepper & Associates Security Services, Inc.</i>	Marshall A. Caskey, Esq. Daniel M. Holzman, Esq. N. Cory Barari, Esq. CASKEY & HOLZMAN 24025 Park Sorrento, Ste. 400 Calabasas, CA 91302 Telephone: (818) 657-1070 Facsimile: (818) 297-1775 Email: mcaskey@caskeyholzman.com dholzman@caskeyholzman.com nbarari@caskeyholzman.com <i>Attorneys for William Hall, individually and on behalf of all others similarly situated</i>
<i>Via Electronic Submission</i> PAGA Administrator 1515 Clay Street, Ste. 801 Oakland, CA 94612	