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Attorneys for Plaintiffs BENIYAM KEBEDE, ALAIN TSAI,
and MONICA I. PAZMINO, individually and on behalf of
all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

BENIYAM KEBEDE, ALAIN TSAI, and
MONICA I. PAZMINO, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

WRIKE, INC.; and DOES 1 through 25,
inclusive

Defendants.

Case No. 20CV366599

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Patricia M. Lucas
Department 3

CLASS ACTION

**DECLARATION OF BENIYAM KEBEDE
IN SUPPORT OF MOTION FOR AN
ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: December 1, 2021

Time: 1:30 p.m.

Dept: 3

Judge: Hon. Patricia M. Lucas

Complaint filed: May 13, 2020

Trial date: Not set

1 I, Beniyam Kebede, declare as follows:

2 1. I am over 18 years of age and am a named plaintiff / class representative in this
3 lawsuit. I am thoroughly familiar with and have personal knowledge of the facts in this declaration.
4 I submit this declaration in support of the Motion for Preliminary Approval of Class Action
5 Settlement in my case. If called as a witness, I would competently testify to the below facts based
6 on my personal knowledge.

7 2. From approximately August 2019 through about January 20, 2020, I was employed
8 by Wrike as an Account Manager, based in San Jose, California. I would typically work more than
9 eight (8) hours in a workday and/or forty (40) hours in a workweek. I also was not provided rest
10 and meal periods, or reimbursement for cell phone and internet expenses.

11 3. After my employment ended with Wrike, I looked for an employment lawyer to
12 understand my rights and the rights of my Wrike coworkers. I hoped to correct some of the
13 payment practices at that time. Before become a named Plaintiff in this case, I spoke with a couple
14 of different lawyers and law firms, and ultimately decided to move forward with this class action
15 lawsuit with Mr. Lebe and Mr. Geraci.

16 4. Since my involvement, I have spoken at length with my attorneys, provided
17 documents and records in my possession, and signed documents so that my attorneys could request
18 additional employment and payroll records.

19 5. My attorneys gathered all of the relevant information, explained what was going on
20 and explained their view of this case. I was added as a named Plaintiff with the filing of the Second
21 Amended Complaint on September 30, 2020.

22 6. During the lawsuit, my attorneys asked me about different policies and records
23 maintained by Wrike, my classification as an exempt or non-exempt employee, my experience
24 working for Wrike, and how I was compensated by Wrike.

25 7. I was informed that Wrike had the right to take my deposition, and that the
26 preparation and deposition itself could take multiple days. To familiarize me with the process, my
27 attorneys started my preparation early so I would be prepared for and comfortable when the date
28 and time were set. Although my deposition was not taken, I feel I would have been adequately

1 prepared and comfortable to give testimony on my experiences.

2 8. We exchanged many emails and had multiple telephone calls about the case from
3 the beginning all the way through to this settlement request.

4 9. I enjoyed working with my legal counsel and am satisfied that we were able to come
5 to a resolution so that a settlement will be paid out to my former coworkers at Wrike.

6 10. When I decided to become a named Plaintiff in the lawsuit, I was aware that this
7 action is public record. I understood that the lawsuit could continue for several years and would
8 require my participation, attention, and determination the entire time. I was made aware that I
9 could become responsible for some or all of my former employer's legal costs if the case did
10 not conclude successfully. Despite these risks, I decided to serve as a class representative
11 because it was the right thing to do and I wanted to help be part of the solution.

12 11. I was informed that Wrike had the right to take my deposition, and that the
13 preparation and deposition itself could take multiple days. To familiarize me with the process, my
14 attorneys started my preparation early so I would be prepared for and comfortable when the date
15 and time were set. Although my deposition was not taken, I feel I would have been adequately
16 prepared and comfortable to give testimony on my experiences.

17 12. This class action lawsuit (and the proposed settlement) is a justification, in many
18 respects, of my rights and the rights of my coworkers; I am proud to have my name on the case and
19 to have achieved this substantial settlement for the other class members.

20 13. I spoke with my attorneys and provided questions to be asked of Wrike for
21 documents and information related to this case. I made myself available during the mediation, and
22 throughout this lawsuit, and I regularly contacted my lawyers for updates and answered all of their
23 questions.

24 14. To prepare for mediation, I discussed the case in detail with my attorneys, including
25 its potential strengths and weaknesses. I believe that my thorough knowledge of Wrike's practices
26 assisted them in evaluating the claims and assessing the potential damages for use at mediation. I
27 believe that my efforts helped obtain the results in this case.

28 15. After the case settled, I reviewed and signed the Settlement Agreement, which

1 included me giving a general release of all the claims I had and might have against Wrike arising
2 from my employment.

3 16. I understand that I may be entitled to an additional payment for acting as a class
4 representative, and that this payment is subject to Court approval. Considering the time I devoted
5 to this case, the concerns I addressed above, the risks, and the results achieved through the
6 settlement, I believe the requested award of \$10,000 is reasonable.

7 17. It is hard to determine exactly how much time I spent on this case. Some weeks
8 required much more time than others (particularly during my pre-involvement investigation, and
9 the lead up to the mediation), but I estimate I spent a significant number of hours working on my
10 case and helping my lawyers, and even more time thinking about the issues in the case and the
11 possible outcome.

12 I declare under the penalty of perjury under the laws of the State of California the
13 foregoing is true and correct and this declaration is executed October 20, 2021, in Oakland,
14 California.

15 
16 Beniyam Kebede