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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 ALAIN TSAI 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, Alain Tsai, 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. I am one of three named Plaintiffs and proposed Class Representatives in this case. I
8 retained Lebe Law, APLC, and later consented to the association of the law firm of Cohelan
9 Khoury & Singer, to represent me in this case.

10 3. I formerly worked for Wrike out of its San Jose office as a Strategic Account
11 Manager from October 2018 to August 2020. During my employment, I believed Wrike failed to
12 pay me all wages I earned which led me to speak with legal counsel.

13 4. With the assistance of counsel, I, along with my co-plaintiffs, became a named
14 plaintiff on September 30, 2020, when the Second Amended Complaint was filed.

15 5. I am not related to any attorney working on the case, I am not aware of any interests
16 I have that are averse to the interests of the proposed class, and I do not have any conflicts that
17 would keep me from adequately representing the class. I have been and remain committed to
18 prosecuting this case vigorously on behalf of the class. I agreed to become a representative and
19 named plaintiff in this case in order to represent the other employees who were affected by Wrike's
20 practices and experienced similar violations as me.

21 6. When I decided to become involved in this lawsuit as a class representative for
22 those who had been and are still employed by Wrike, I understood that I was not only seeking
23 compensation for myself, but also for all other proposed class members who worked for Wrike, and
24 that by doing so, I would be possibly be delaying a faster recovery by pursuing an individual claim
25 or making a claim through the Labor Commissioner's office. I agreed to do this for the many past
26 and present class members who were not aware of their rights, or were afraid to complain to
27 management for fear of losing their jobs. I understood there were risks in class action lawsuits. I
28 understood that the lawsuit could continue for well over a year, which it has, and require my

1 services and attention for its entire length. I was made aware that as a class representative, I was
2 taking the risk of having a judgment entered for Wrike's legal costs if the case were lost.

3 7. I have taken my duties as class representative seriously and participated in this
4 lawsuit on behalf of myself and other employees. I stayed in touch with my attorneys by phone and
5 email on a regular basis, and was fully aware of all significant developments in the case. I spent
6 significant time devoted to this case, which included tasks such as: (1) researching what claims
7 might exist; (2) searching for attorneys to review my claims; (2) having conferences and email
8 communication with attorneys about the case; (3) locating and organizing documents for the case;
9 (4) reviewing paperwork sent to me by my attorneys; (5) preparing with my attorneys for mediation
10 and being available for phone calls on the day of mediation; and (6) serving as a liaison between
11 my attorneys and other former co-workers. I believe my contributions and sacrifices were vital to
12 the prosecution and of this matter.

13 8. I believe my choice to represent other employees who experienced similar problems
14 may cost me the loss of job opportunities in the future. While my choice to represent the class to
15 recover what we are entitled to should not have adverse consequences for my career, the reality is
16 that it can. Employers may see this lawsuit as a sign I am not reliable or not a "team player,"
17 because I sued my former employer for not getting the breaks we were entitled to.

18 9. After the notices describing the settlement are mailed to the class members, I am
19 prepared to stay in contact with my attorneys to get updates and speak with former co-workers who
20 may reach out to ask questions about the case.

21 10. Based on my review of the settlement terms, conversations with my attorneys,
22 knowledge about the law I have gained since filing this case, and my understanding of Wrike's
23 operations, I believe the settlement is in the best interest of the employees covered by it.

24 11. As part of the settlement, I agreed to give a general release of all the claims I had
25 and might have against Wrike arising from my employment.

26 12. For all of the reasons described above, I believe an individual service payment of
27 \$10,000 in this case is fair and justified based on the work I performed, and for the risks taken to

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1 pay for Wrike's fees and costs if we had lost this case. I was never promised any amount
2 and I understand any award is subject to the Court's discretion.

3
4 I declare under the penalty of perjury under the laws of the State of California the
5 foregoing is true and correct and this declaration is executed 10/22/2021, in Los
6 Altos Hills, California.

Alain Tsai

Alain Tsai