

Edwin Aiwazian (SBN 232943)
Arby Aiwazian (SBN 269827)
Joanna Ghosh (SBN 272479)
Danielle L. GruppChang (SBN 313881)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Heather Davis (SBN 239372)
Amir Nayebdadash (SBN 232204)
PROTECTION LAW GROUP LLP
136 Main Street, Suite A
El Segundo, CA 90245
Tel: (424) 290-3095 / Fax: (866) 264-7880

Attorneys for Plaintiffs

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

RUBEN ALVARADO, individually, and on
behalf of other members of the general public
similarly situated; WHITEY DAVIS,
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;

Plaintiffs,

vs.

CITADEL SERVICING CORPORATION, a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No.: 30-2019-01057617-CU-OE-CXC

Honorable Kirk H. Nakamura
Department CX103

CLASS ACTION

**DECLARATION OF WHITEY DAVIS IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

[Motion for Preliminary Approval
of Class Action Settlement; Declarations of
Class Counsel (Edwin Aiwazian and Heather
Davis); Declaration of Proposed Class
Representative (Ruben Alvarado); and
[Proposed] Order Granting Preliminary
Approval filed concurrently herewith]

Reservation No.: 73471719
Date: April 1, 2021
Time: 2:00 p.m.
Department: CX103

Complaint Filed: March 18, 2019
FAC Filed: March 3, 2021
Jury Trial: None Set

DECLARATION OF WHITEY DAVIS

I, **Whitey Davis**, 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, and 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 Defendant Citadel Servicing Corporation ("Citadel") from approximately January 2018 to approximately June 2019 in a salaried, non-exempt position which was misclassified as exempt. I decided to seek legal advice about my work experiences at Citadel and about filing a lawsuit to seek to redress my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to take steps to make sure Citadel was held accountable for not properly compensating all employees for all hours worked and non-compliant meal and rest breaks, including employees who were misclassified as exempt. After speaking with the attorneys, I investigated representative action lawsuits on my own and did some research into the leading employment law firms in California for approximately 8 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for almost 9 hours discussing my situation, class action lawsuits and representative action lawsuits under the Private Attorneys General Act ("PAGA"), and what it meant to join an action as a named plaintiff and a PAGA representative.

3. Since becoming involved in this matter, I have spent over 18 hours meeting with my attorneys regarding the case and fulfilling my responsibilities as a class and a PAGA representative, which has included providing documents concerning my employment with Citadel, reviewing documents with my attorneys and answering their questions, providing information regarding the duties of who were classified as exempt, and helping develop a strategy as to what documents and information to obtain from Citadel. 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.

///

1 4. Throughout my involvement in this case, I was available to answer any questions
2 my attorneys had, and available to speak and meet with my attorneys whenever they needed me.
3 I responded to them as quickly as possible and gave them as much information as I could.
4 I spent at least 10 hours speaking with my attorneys about the case, sending them documents,
5 identifying potential witnesses, and also describing policies, practices, and procedures of Citadel.

6 5. I spent about 6 hours reviewing the settlement agreement and about 4 hours
7 asking questions and discussing the potential settlement with my attorneys before signing the
8 settlement agreement.

9 6. I believe that I have done everything that my attorneys have asked of me and
10 tried, to the best of my ability, to seek relief for the class, aggrieved employees, and the State of
11 California. I think my efforts helped to get the result obtained in this case.

12 7. I respectfully request that the Court approve and award me a service award in the
13 amount of \$10,000.00 for my efforts and active participation in the case and broader release of
14 claims. Taking into consideration the time that I dedicated to this case, I believe that this amount
15 is reasonable.

16 8. I am not related to anyone associated with Lawyers *for* Justice, PC or Protection
17 Law Group LLP.

18 9. I have not entered into any undisclosed agreements, nor have I received any
19 undisclosed compensation in this case. The only compensation I will receive is a service award,
20 if approved by the Court, as well as my share of the settlement as a class member.

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

23 Executed on February 18, 2021, at New Castle, California.

24 An electronic signature of Whitey Davis is shown within a rectangular box. The signature is written in cursive. Above the signature, the text "Electronically Signed" is visible. To the right of the signature, the date and time "2021-02-18 20:17:48 UTC - 107.126.89.20" are displayed. Below the signature, the text "AssureSign®" and a long alphanumeric string "2eb79fb6-8371-4a35-94a7-ae03013dc262" are visible.

25
26 Whitey Davis