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Attorneys for Plaintiff and the Classes

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

Defendants.

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

Honorable Lon F. Hurwitz
Department CX103

CLASS ACTION

**DECLARATION OF WHITEY DAVIS IN
SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, CLASS
COUNSEL AWARD, AND SERVICE
AWARDS**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement, Class
Counsel Award, and Service Awards;
Declaration of Class Counsel (Edwin Aiwazian
and Heather Davis) Declaration of Class
Representatives (Ruben Alvarado); Declaration
of Settlement Administrator (Stephen Gomez);
and [Proposed] Final Approval Order and
Judgment filed concurrently herein]

Date: June 2, 2023
Time: 1:30 p.m.
Department: CX103

Complaint Filed: March 18, 2019
FAC Filed: March 3, 2021
Trial Date: 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.

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4. Throughout my involvement in this case, 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 as I could. I spent at least 10 hours speaking with my attorneys about the case, sending them documents, identifying potential witnesses, and also describing policies, practices, and procedures of Citadel.

5. I spent about 6 hours reviewing the settlement agreement and about 4 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 tried, to the best of my ability, to seek relief for the class, aggrieved employees, and the State of California. I think my efforts helped to get the result obtained in this case.

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

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

9. 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 a service award, if approved by the Court, as well as my share of the settlement as a class member.

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

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

Electronically Signed
2021-02-18 20:17:48 UTC - 107.126.89.20

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Whitey Davis