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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

ANA SANTANA, individually and on
behalf of all similarly situated current and
former and/or aggrieved employees of
DEFENDANTS in the State of California,

Plaintiff,

v.

HARBOR FOODS, INC., HARBOR
FOODS #2, INC., HARBOR FOODS #3,
INC, HARBOR FOODS #4, INC. and
DOES 1 THROUGH 50, inclusive,

Defendants.

Case No.: 37-2020-00026743-CU-OE-CTL

**DECLARATION OF MARIA GOMEZ IN
SUPPORT OF UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS AND
PAGA ACTION SETTLEMENT**

[IMAGED FILE]

Date: April 21, 2022
Time: 9:00 a.m.
Judge: Hon. James A. Mangione
Dept: C-75

Complaint Filed: July 30, 2020
Trial Date: None Set

1 I, MARIA GOMEZ, hereby declare and state as follows:

2 1. I am a named Plaintiff in these two lawsuits against Defendant Harbor Foods, Inc.,
3 et al. ("Defendant") and I submit this declaration in support of Plaintiffs' Unopposed Motion for
4 Preliminary Approval of Class and PAGA Action Settlement. I am a competent adult and worked
5 for Defendant in San Diego as a non-exempt part-time server and hostess during the Class Period,
6 and specifically between November 2013 and September 2019. I have personal knowledge of the
7 facts set forth herein, and if called as a witness to testify to them, I could and would do so
8 competently.

9 2. I contacted my current attorneys when I questioned the employment practices of
10 Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a Class
11 Representative in a class action on behalf of other employees of Defendant who I believed were
12 being subjected to labor law violations. Although presented with the opportunity, I did not to
13 pursue this case on an individual basis and instead did so as a class action so that I could help
14 other employees recover for what I believed were Defendant's illegal practices.

15 3. Specifically, I questioned Defendant's policies of failing to pay all wages, failing
16 to provide compliant meal and rest periods (including working on-duty during these periods and
17 never being paid meal and rest period premiums), failing to timely compensate employees, and
18 issuing its employees incorrect paystubs. I believe Defendant applied its uniformly unlawful
19 policies across all of its stores and to all of its employees. Through many discussions with my
20 lawyers, I learned these may be illegal practices and Defendant's employees might have recourse
21 for them.

22 4. By bringing this lawsuit, and throughout its course, I have put the interests of the
23 class ahead of my own. I understood that I could possibly earn a small enhancement payment if
24 this case resolved itself favorably, but always knew that I could also be responsible for paying
25 Defendant's attorneys' fees and costs if it did not. My goal in bringing this lawsuit was to obtain
26 a recovery on behalf of the class, and even more importantly, to put an end to what I believed
27 were illegal practices on the part of Defendant. I believe I have achieved both through this
28 lawsuit and settlement.

1 5. I am very happy about the results of this litigation. I am satisfied that Defendant is
2 compensating class members for unpaid wages, expenses, penalties, and interest that I believe we
3 are due.

4 6. At the onset of this case, I spent time through numerous phone calls with several
5 of my attorneys explaining what I understood to be the policies and procedures of Defendant and
6 how they were applied to me and others I worked with. During the course of this litigation, up
7 through and following the settlement process, I kept actively involved with its status, tracking the
8 status of the case and participating as much as possible. I assisted and consulted with my
9 attorneys throughout the litigation, provided relevant information, identified witnesses, and
10 helped during an all-day mediation.

11 7. While I have not maintained detailed time records of my activities in connection
12 with this litigation, I believe that have spent a total of approximately 20 hours assisting my
13 attorneys with the preparation of this case, and doing work and analysis independent from my
14 attorneys both before and during this case, including conducting an independent investigation of
15 the facts.

16 8. Before this litigation commenced, and throughout its course, I have spent
17 approximately 10 or more hours gathering, organizing, and reviewing documents and information
18 for this lawsuit. I sifted through many of my own documents and reviewed information produced
19 by Defendant as part of this case.

20 9. I have communicated with my attorneys several times per month to track my
21 case's status. I have taken an active involvement in this matter throughout its course.

22 10. This lawsuit will almost certainly result in reputational harm to me. There is a
23 stigma associated with suing anyone, let alone your former employer. I will probably be
24 adversely affected when it comes to obtaining future employment – employers who learn that I
25 sued Defendant in a class action will likely avoid hiring me.

26 11. I do not believe that I have any conflicts with other members of the class. My
27 interests in bringing this lawsuit – for Defendant to change its labor practices going forward and
28 to compensate current and former employees – are the same as those of all other class members.

1 I declare, under penalty of perjury, under the laws of the State of California, that the
2 foregoing is true and correct. Executed this 23rd day of March, 2023 at Chula Vista, California.

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4 *Maria Gomez*

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6 MARIA GOMEZ
7 Declarant
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