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Attorneys for Plaintiffs MARIE DEMARTINI, and JOSE SOTO
on behalf of themselves and all others similarly-situated

ADDITIONAL COUNSEL ON NEXT PAGE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MARIN

MARIE DEMARTINI, WILLIE
AUSTIN, JR., and JOSE SOTO, on
behalf of themselves and all others
similarly-situated,

Plaintiffs,

v.

SAFELITE FULFILLMENT, INC.,
DBA SAFELITE AUTO GLASS,
a Delaware Corporation; SAFELITE
SOLUTIONS, LLC, a Delaware
Corporation; BARRETT BUSINESS
SERVICES, INC., a Maryland
Corporation; and DOES 1-50, inclusive,

Defendants.

Lead Case No. CIV20002076

CLASS AND REPRESENTATIVE ACTION

**DECLARATION OF JOSE SOTO IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: [REDACTED], 2024

Time: [REDACTED]

Dept.: Dept. D19

Judge: Hon. James T. Chou

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Attorneys for Plaintiff WILLIE
AUSTIN JR., on behalf of himself
and all others similarly-situated.

1 I, Jose Soto, declare as follows:

2 1. I am an individual over the age of eighteen. I am a named Plaintiff in the above-
3 titled action in which I am asking the Court for approval to serve as the Class Representative to a
4 class of similarly situated employees of Defendants Safelite Fulfillment, Inc (Safelite) and Barrett
5 Business Service, Inc. (BBSI). I have personal knowledge of the facts set forth below, and if called
6 to testify regarding them, I could and would do so competently.

7 2. On or about July 1, 2021, I began working for Defendants at Safelite. During my
8 employment, I worked approximately 5-6 days a week, 40+ hours per week.

9 3. I was paid on an hourly basis as a non-exempt employee.

10 4. Because I thought that some of the practices at Safelite may not be lawful, I decided
11 to seek legal advice about my work experiences at Safelite and about filing a lawsuit to obtain relief
12 for my grievances. After speaking with my attorneys about my situation, class actions, and what it
13 meant to bring a class action, I decided to proceed with a lawsuit against my former employer. At
14 the time, I also agreed to represent all other similarly situated non-exempt employees who worked
15 for Defendant in California, and to obtain relief for the entire class.

16 5. With my attorneys' assistance, I filed two lawsuits against the Defendants—one on
17 behalf of the Class and another on behalf of the State to seek penalties. I understand that at the
18 time I brought my lawsuits there was already another case pending brought by my co-plaintiffs,
19 Marie DeMartini and Willie Austin Jr. and at some point the cases I filed were brought together
20 with the cases brought by Ms. DeMartini and Mr. Austin.

21 6. I believe my situation is similar and has been similar to all other employees like me
22 who worked for Defendants during the time period involved in this case. I believe my claims as
23 alleged in the amended complaint against Defendants for failure to pay minimum wages, failure to
24 pay overtime; failure to provide lawful meal periods; failure to authorize and permit lawful rest
25 periods; failure to reimburse necessary expenses; failure to furnish accurate itemized wage
26 statements; failure to timely pay all wages owed during employment and at separation; unfair
27 competition; and other related claims in accordance with the California Labor Code and related
28 provisions are typical of the other Class Members and that I can represent my fellow employees in

1 our common claims. I believe that Defendants applied similar policies, practices, schedules, and
2 workload requirements to us all and treated me and all Class Members similarly. I also understand
3 that I have sought penalties on behalf of the State of California for some of Defendant's violations
4 of the California Labor Code.

5 7. I believe that my interests have been and continue to be in alignment with the other
6 Class Members, and I am willing to continue to pursue their class claims against Defendants in this
7 litigation. I believe I do not have any interests which are against the interests of the Class Members,
8 and I will continue to do what is best for all the Class Members rather than myself as I have done
9 throughout this litigation.

10 8. As a Class Representative, I devoted substantial time and effort to this litigation, on
11 behalf of the Class, and stayed informed of its progress through my counsel at James Hawkins,
12 APLC. I have maintained the best interests of the Class Members while performing my Class
13 Representative duties, and I have contributed to the litigation by participating in many interviews
14 and conferences with Class Counsel regarding this matter and providing documents and evidence
15 to Class Counsel in support of the class claims. I have kept in frequent contact with my counsel and
16 have assisted, as necessary.

17 9. I believe the Settlement obtained in this case, on behalf of the Class, is fair,
18 sufficient, and reasonable in view of the facts I know and have been made aware of by other
19 employees like me, and due to the risk of going through further litigation. Class Counsel explained
20 all the Settlement terms to me, including the fees and costs and enhancement requests.

21 10. I believe that I have done everything that my attorneys have asked of me and tried,
22 to the best of my ability, to seek relief for the Class. I have spent many hours participating in this
23 matter as described above. I believe my efforts helped get the result obtained in this case.

24 11. I am proud of the result and accomplishment of this lawsuit. I feel that it is a positive
25 accomplishment and understand that other people will benefit because of the actions that I have
26 taken.

27 12. I understand that any resolution of this lawsuit on a class wide basis is subject to
28 court approval, and any settlement must be designed in the best interest of the Class as a whole. At

1 all times throughout the course of this litigation I have considered the interests of the Class and put
2 them before my own personal interests.

3 13. I understand that as part of the Settlement, I will be asking the Court to approve a
4 Class Representative Service Payment of \$10,000 for my efforts as Class Representative, and that
5 this additional payment is not guaranteed. I understand that any service payment is discretionary
6 and not guaranteed. I understand that any requested service payment must be approved by the
7 Court and is intended to compensate named plaintiffs for the quality and quantity of the work done
8 on behalf of the class and other employees; the financial and/or reputational risk undertaken in
9 bringing the class action, and an acknowledgment of the benefits resulting from the representative's
10 actions. I believe the requested Class Representative Service Payment is fair and reasonable based
11 upon the excellent result achieved for the Class Members and because of the many tasks I have
12 performed on their behalf.

13 14. I also believe the requested Class Representative Service Payment is fair and
14 reasonable because my decision to accept the risk of being a Class Representative in a class action
15 under the Labor Code may affect my future ability to get other jobs. In addition, as a Named
16 Plaintiff, I am releasing Defendant of not only those claims released by the Class Members but all
17 known or unknown claims I may have against the Defendants. I voluntarily assumed these
18 significant risks and the case would not have been brought or maintained without me.

19 15. I believe the Class Members, who might not even be aware of their rights if not for
20 this class action, will substantially benefit from the resolution of their claims against Defendant for
21 the Gross Settlement Amount of \$3,000,000.

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

24 Executed this 22 day of April 2024, in Hesperia, California.

25 DocuSigned by:
26 
27 FE5D0A733EAC476...

28 Jose Soto