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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
FOR THE 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.

Case No. CIV20002076

Assigned for All Purposes To:
Hon. Sheila Lichtblau
Dept. H

**DECLARATION OF PLAINTIFF MARIE
DEMARTINI IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: January 22, 2025
Time: 1:30 p.m.
Dept.: Courtroom H

1 Norman B. Blumenthal, State Bar No. 068687
2 Kyle R. Nordrehaug, State Bar No. 205975
3 Aparajit Bhowmik, State Bar No. 248066
4 Piya Mukherjee, State Bar No. 274217
5 Victoria Rivapalacio, State Bar No. 275115
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17 Attorneys for Plaintiff WILLIE AUSTIN JR., on behalf of
18 himself and all others similarly situated
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1 I, Marie DeMartini, declare as follows:

2 1. I am an individual over the age of 18 years old. I am one of the named plaintiffs and
3 proposed Class Representatives in this action. I have personal knowledge of all the facts in this
4 declaration and, if asked, I would testify to these facts under oath in court.

5 2. In or about November 2019, I began working for Defendant Safelite Fulfillment,
6 Inc. During my employment, I worked approximately 5-6 days a week, 40+ hours per week. I was
7 employed as an hourly, non-exempt employee.

8 3. During my employment, I believe Defendants engaged in a number of violations of
9 the Labor Code including by failing to pay lawful wages for all hours worked; failing to provide
10 meal periods; failing to authorize and permit rest periods; failing to pay wages upon separation of
11 employment and within the required time; failing to furnish accurate wage statements; and failing
12 to reimburse expenses.

13 4. After meeting with my attorneys about these issues, I decided to proceed with a
14 lawsuit against my former employer. At the time, I also agreed to represent all other similarly
15 situated employees who worked for Defendants in California.

16 5. I retained my attorneys who are experienced in both class action and representative
17 action litigation and claims against employers for violations of the California Labor Code. I have
18 no personal relationship or family ties to my attorneys or any officer of the Court. I am not aware
19 of having any actual or potential conflicts of interest with another class member in this case nor am
20 I aware of having any actual or potential conflicts of interest with ILYM Group, Inc., the settlement
21 administrator.

22 6. When I agreed to represent other employees similarly situated, I understood it was
23 my duty to be readily available and to actively participate in the case. I knew that I needed to keep
24 aware of the status and progress of the lawsuit. At all times, I worked to fulfill these duties on behalf
25 of other employees similarly situated, and I continue to do so through the settlement process.

26 7. I also understood the risks I could face due to my involvement as a named plaintiff.
27 I understood that if I did not prevail in the litigation, I could be held responsible for the payment of
28 Defendants' court awarded litigation costs and potentially attorneys' fees. Therefore, I realized

1 that I was taking a significant amount of risk in filing the lawsuit.

2 8. I also knew that my name could easily be located on a search of court records and
3 that any prospective employer may find out that I had sued my former employer.

4 9. Even though I knew I was taking risks, I knew I had to do what I believed was right
5 and pursue claims on behalf of other employees to vindicate our rights and attempt to recover the
6 wages owed to us. I am proud to know that I played a role in the Class Members being entitled to
7 monetary payments as a result of the filing of this lawsuit.

8 10. I spent a substantial amount of time and effort pursuing my claims and the claims
9 of the other similarly situated employees from the time I retained my attorneys to this date.

10 11. In preparing for, and during, this litigation, I spent numerous hours devoted to
11 assisting with this case. I have been on numerous telephone calls discussing the facts of my case
12 with the attorneys and staff of James Hawkins APLC, and spent significant time discussing the
13 facts related to my employment with Safelite with my attorneys, including discussing my job duties
14 and responsibilities, and the hours and days that I worked. I also spent time looking through files
15 for all documents related to my employment with Safelite which included wage statements and
16 separation paperwork. I further spent time on telephone calls discussing these documents. I
17 assistend with responding to discovery and providing disclosures, as well as supplemental
18 responses. I prepared for my deposition and reviewed certain documentation provided by
19 Defendants. I monitored the status of the case and the proceedings. I also assisted my attorneys
20 with preparing for mediation and participating in mediation remotely, and remaining available to
21 answer questions as necessary. I was also involved in discussing the subsequent negotiations and
22 the mediator's proposal. I have also spent additional time assisting with the settlement
23 documentation, negotiations, and the reviewing of settlement documents. I have also prepared and
24 reviewed various declarations in support of the proceedings. I estimate that over the course of this
25 case I have spent approximately 160 hours involved in the litigation and resolution of this matter.

26 12. My attorneys forwarded me copies of the PAGA letters and complaints for review
27 in this case. I thoroughly reviewed the complaint and letters and discussed the contents with my
28 attorneys.

1 13. My attorneys provided me with a copy of the proposed Settlement Agreement which
2 I reviewed carefully before signing it. As a term of the agreement, I have agreed to give a broad
3 release of all claims that I had or might have against Defendants arising from my employment. No
4 other similarly situated employee is required to give such a release, but I understand this is
5 sometimes asked of class representatives.

6 14. It is my opinion that the proposed settlement achieved is fair, adequate and
7 reasonable.

8 15. I understand that approximately 2,732 current and former employees of Defendants
9 will now receive cash payments they may not otherwise have recovered but for the initiation of this
10 case. I understand that no objections have been received and only three individuals requested
11 exclusion from the Settlement. I believe that this excellent result confirms that the settlement fair
12 and reasonable.

13 16. To date, I have not received any benefits as a result of prosecution of the action.

14 17. I am requesting the Court approve a \$10,000 service payment preliminarily
15 approved by the Court. I believe this amount is reasonable considering the amount of work and
16 time I spent with my attorneys to achieve this excellent settlement over the last four years. The time
17 and service I provided to the Class resulted in the parties ultimately agreeing to settle the case and
18 in a positive outcome for the entire Class, who will receive a share of the settlement funds in this
19 case. I estimate that over the course of this case,

20 18. As part of the Settlement, it was necessary for me to agree to a general release of
21 any claims I might have against Safelite. I understand that only the other Class Representatives
22 were required to agree to such a general release and that otherwise no other Class Members had to
23 enter into a general release. I believe that this general release provides additional consideration for
24 the Service Payment.

25 19. I further believe the amount of the Class Representative Service Payment is very
26 reasonable considering the financial and professional risks I took by bringing a class action lawsuit
27 against my former employer, including the potential of paying court-awarded litigation costs to
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1 Defendants and the negative exposure to future employers. I also gave a broad release of all claims
2 against Defendants arising from my employment that other Class Members did not have to give.

3 20. I believe the Class Members, who might not have been aware of their rights if not
4 for this class action, will substantially benefit by resolution of their claims against Defendants for
5 the Gross Settlement Amount of \$3,000,000.

6 21. As the appointed Class Representative, I remain committed to this case and will
7 continue to participate as needed in the final approval and the settlement administration process.

8 I declare under penalty of perjury under the laws of the State of California that the foregoing
9 is true and correct. Executed on December 19, 2024 in Pioneer, California.

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Marie DeMartini (Dec 19, 2024 16:09 PST)

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