

James R. Hawkins (SBN 192925)  
james@Jameshawkinsaplc.com  
Christina M. Lucio (SBN 253677)  
christina@Jameshawkinsaplc.com  
Mitchell J. Murray (SBN 285691)  
mitchell@Jameshawkinsaplc.com  
**JAMES HAWKINS APLC**  
9880 Research Drive, Suite 200  
Irvine, California 92618  
Telephone: (949) 387-7200  
Facsimile: (949) 387-6676

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

Other Included Actions: *Jose Soto v. Safelite  
Fulfillment, Inc. et al*, Case No. 5:22-cv-02092

**CLASS AND REPRESENTATIVE ACTION**

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

[Filed concurrently with Notice of Motion and  
Motion, Memorandum of Points and Authorities,  
Declaration of [REDACTED], and [Proposed]  
Order]

Date: [REDACTED], 2024

Time: [REDACTED]

Dept.: Dept. D19

Judge: Hon. James T. Chou

Assigned for All Purposes To:

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Norman B. Blumenthal, State Bar  
No. 068687  
Kyle R. Nordrehaug, State Bar No.  
205975  
Aparajit Bhowmik, State Bar No.  
248066  
Piya Mukherjee, State Bar No.  
274217  
Victoria Rivapalacio, State Bar No.  
275115  
Charlotte E. James, State Bar No.  
308441  
BLUMENTHAL NORDREHAUG  
BHOWMIK DE BLOUW LLP  
2255 Calle Clara  
La Jolla, CA 92037  
Email: norm@bamlawca.com  
Email: kyle@bamlawca.com  
Email: aj@bamlawca.com  
Email: piya@bamlawca.com  
Email: victoria@bamlawca.com  
Email: charlotte@bamlawca.com

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

1 I, Marie DeMartini, 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. I have personal knowledge of the facts set  
5 forth below, and if called to testify regarding them, I could and would do so competently.

6 2. On or about November 1, 2019, I began working for Safelite. During my  
7 employment, I worked approximately 5-6 days a week, 40+ hours per week.

8 3. While employed with Defendants, I was an hourly, non-exempt employee.

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

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

1 workload requirements to us all and treated me and all Class Members similarly. I also understand  
2 that I have sought penalties on behalf of the State of California for some of Defendant's violations  
3 of the California Labor Code.

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

9 8. As a Class Representative, I devoted substantial time and effort to this litigation, on  
10 behalf of the Class, and stayed informed of its progress through my counsel at James Hawkins,  
11 APLC. I have maintained the best interests of the Class Members while performing my Class  
12 Representative duties, and I have contributed to the litigation by participating in many interviews  
13 and conferences with Class Counsel regarding this matter and providing documents and evidence  
14 to Class Counsel in support of the class claims. I have kept in frequent contact with my counsel and  
15 have assisted, as necessary. I assisted with responding to discovery, identifying witnesses and  
16 evidence, assisted with mediation preparation, and have been instrumental in the settlement  
17 process. I believe that I have done everything that my attorneys have asked of me and tried, to the  
18 best of my ability, to seek relief for the Class. I have spent many hours participating in this matter.  
19 I believe my efforts helped get the result obtained in this case.

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

24 10. 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 11. 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 12. 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 13. 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 14. 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 22nd day of April 2024, in Jackson, California.

25 DocuSigned by:

26 *Marie DeMartini*

27 58D6681E34A2439...

28 Marie DeMartini