

1 JAMES HAWKINS APLC
James R. Hawkins, Esq. (#192925)
2 Gregory Mauro, Esq. (#222239)
Michael Calvo, Esq. (#314986)
3 Lauren Falk, Esq. (#316893)
Ava Issary, Esq. (#342252)
4 9880 Research Drive, Suite 200
Irvine, CA 92618
5 Tel.: (949) 387-7200
Fax: (949) 387-6676
6 Email: James@jameshawkinsaplc.com
Email: Greg@jameshawkinsaplc.com
7 Email: Michael@jameshawkinsaplc.com
Email: Lauren@jameshawkinsaplc.com
8 Email: Ava@jameshawkinsaplc.com

9 Attorneys for Plaintiff ABDUL RASHID DESAI,
On behalf of the general public as private attorney general

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF LOS ANGELES
13

14 ABDUL RASHID DESAI, On behalf of the
15 general public as private attorney general,
16 Plaintiff,
17 v.
18 CYPRESS PRIVATE SECURITY, LP a
California Limited Partnership, and DOES 1-50,
19 inclusive,
20 Defendant.
21
22
23
24
25
26
27
28

Case No. 20STCV26087
ASSIGNED FOR ALL PURPOSES TO:
JUDGE: Hon. Lia Martin
DEPT: 16

**DECLARATION ABDUL RASHID DESAI
IN SUPPORT OF CLASS ACTION
SETTLEMENT**

Date: June 15, 2023
Time: 09:00 a.m.
Dept. 16

DECLARATION OF ABDUL RASHID DESAI

I, Abdul Rashid Desai hereby declare as follows:

1. I am over the age of eighteen and I submit this Declaration in support of the motion for Preliminary Approval of the Class Action Settlement. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendant Cypress Private Security, LP in approximately October of 2019 for approximately three months as a non-exempt employee conducting security officer duties. I worked at various locations in California.

3. As a non-exempt employee, I suffered the same damages as other non-exempt employees. These included not being provided meal periods or permitted rest periods, not provided accurate wage statements, not paid all my wages on time, not paid all my earned vacation, not provided with a day off in seven days, and other resultant penalties all in accordance with California law. As a result of these alleged violations, I sought consultation with my attorneys at James Hawkins, APLC.

4. Based upon my allegations, and after consultation and full disclosure from my attorneys about the potential risks I faced as a Plaintiff in a putative class action, I freely decided to pursue this lawsuit to try and vindicate my rights and the rights of others who also worked for Defendant and suffered similar harms due to Defendant's common practices and policies.

5. Prior to filing my action, my attorneys and I had multiple conferences about the factual basis for the claims that I wanted to pursue against Defendant. During those conferences, my attorneys provided me with an overview of how those claims would be litigated and generally educated me about the nature of complex/representative litigation and my role as the representative Plaintiff.

6. My attorneys provided me with a draft of the complaint for my review and approval. I closely reviewed the complaint to ensure accuracy and completeness. As a result, I caused my attorneys to file the class action complaint alleging claims for the allegations alleged therein. Thereafter, I have been fully involved in my case. Following the filing of the complaint, I collaborated with my attorneys on the prosecution of my claims, and I regularly contacted my

1 attorneys to stay current on the status of the litigation, and to discuss my attorneys' progress in
2 prosecuting the claims.

3 7. Since I believe I was not provided lunches and not permitted my rest breaks, not, and
4 therefore not provided accurate itemized wage statements, not provided meal periods, not paid my
5 vacation time and resultant penalties, I believe that I have been similarly injured as to all other class
6 members in the settlement who worked for Defendant during the class period of March 16, 2019
7 through April 1, 2020. I believe the claims asserted in the Complaint and first amended complaint
8 are also shared by the other Class Members. I worked with various other non-exempt employees,
9 and I believe we were all treated the same and subject to the same unlawful policies.

10 8. Since I agreed to become a Class Representative, I have worked every step
11 of the way with my attorneys. During the course of the litigation, I have always kept the best
12 interests of the Class Members on equal footing as mine. I have been, and I am willing to continue
13 to pursue the Class Members' claims vigorously on our collective behalf if the Settlement is not
14 finally approved. As a result, I firmly believe that I do not have any interests adverse to the interests
15 of the Class Members. I have maintained the Class Members best interest from the inception of the
16 case.

17 9. As a Class Representative, I have spent numerous hours consulting with my
18 attorneys, providing documentation, consulting with other Class Members, responding to questions
19 from my attorneys, providing documents to my attorneys, working with my attorneys to review
20 documents received, helping my attorneys in preparing for the mediation and attending the
21 mediation via telephone. I was consulted about the status of the case and provided constant
22 feedback about the case from my attorneys including the mediation, settlement negotiations and
23 eventual settlement. I estimate I have spent approximately 50 hours working on this case.

24 10. From the beginning of this case, I have freely chosen to accept the risks of
25 being a Class Representative in this class action lawsuit. I chose to assume these risks and pursue
26 the claims on behalf of the Class Members as I wanted to vindicate their rights. I believe we have
27 achieved that result with the settlement and the individual payments to the Class Members. I believe
28 the settlement is fair, reasonable and adequate based on the numerous defenses asserted by

280

1 Defendant. I believe the efforts and work I put forth helped to achieve the fair settlement that will
2 benefit the Class Members. As a result of my efforts, I also believe the Class Representative
3 Enhancement Award is reasonable, and I respectfully request the Court approve the amount of
4 \$10,000.00 as fair and reasonable.

5 I declare under penalty of perjury under the laws of the state of California that the
6 foregoing is true and correct. Executed on May 18, 2023, at Yucaipa, California

7 A.I. Desai
8 Abdul Rashid Desai

9 Abdul Rashid Desai
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28