

1 **BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP**

Norman B. Blumenthal (State Bar #068687)

2 Kyle R. Nordrehaug (State Bar #205975)

Aparajit Bhowmik (State Bar #248066)

3 Jeffrey S. Herman (State Bar #280058)

Sergio Julian Puche (State Bar #289437)

4 Trevor G. Moran (State Bar #330394)

2255 Calle Clara

5 La Jolla, CA 92037

Telephone: (858)551-1223

6 Facsimile: (858) 551-1232

7 Website: www.bamlawca.com

8 Attorneys for Plaintiffs

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **IN AND FOR THE COUNTY OF LOS ANGELES**

12 EZEKIEL H. TREZEVANT IV, an individual,
13 on behalf of himself and on behalf of all
14 persons similarly situated,

15 Plaintiff,

16 v.

17 LEGENDS SALES & MARKETING LLC, a
18 Limited Liability Company; and DOES 1
through 50, Inclusive,

20 Defendants.

Case No. 20STCV45378

[Assigned for all purposes to Hon. Carolyn B. Kuhl, Dept. 12]

[Related Case 20SMCV01863]

**DECLARATION OF EZEKIEL H.
TREZEVANT IV IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

Hearing Date: August 6, 2025

Hearing Time: 10:30 a.m.

Judge: Hon. Carolyn B. Kuhl

Dept: SS-12

Action Filed: November 24, 2020

1 I, Ezekiel H. Trezevant IV, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a proposed Class Representative in the above-
3 entitled matter. I submit this declaration in support of the Motion for Preliminary Approval of Class
4 Settlement and in support of my application for a class representative service award.

5 2. I have personal knowledge of all the facts stated herein. I could and would competently
6 testify under oath to these facts in court if requested to do so.

7 3. I worked for Defendant Legends Sales & Marketing, LLC (“Legends”) in California from
8 October of 2017 to June of 2020, and during that time period I was mis-classified by Legends as an
9 employee exempt from overtime pay and the legally required meal and rest period.

10 4. I retained my attorneys who are experienced in both class action and PAGA representative
11 action litigation and claims against employers for violations of the California Labor Code. I have
12 no personal relationship or family ties to my attorneys or any officer of the Court. I am not aware
13 of having any actual or potential conflicts of interest with another class member in this case. I am
14 not aware of any other pending matter or action asserting claims that will be extinguished or
15 adversely affected by this settlement.

16 5. I decided to file this class action lawsuit and be a plaintiff/class representative because I felt
17 that my legal rights as an employee and others like me were violated. For example, I was forced to
18 work until my job was finished, not matter how many hours it took to complete my job duties.
19 Despite this, I was not paid any overtime, nor was I provided any meal or rest breaks throughout
20 my employment. In fact, I was never advised of any meal or rest break policy that applied. As a
21 result, I was never paid any break penalties for which I was entitled to. Further, I was not properly
22 reimbursed for required business expenses, including the use of my personal cell phone and milage
23 for driving. My personal cell phone was required for making after hours calls when clients were
24 available to speak. However, despite this frequently occurring, I never received reimbursement for
25 my personal cell phone use.

26 6. I spoke to my attorneys several times and discussed how Legends implemented its company
27 policies and procedures. I also assisted my attorneys in their investigation into my claims by
28 providing them documents and answering their questions. I reviewed the complaint before it was

1 filed and was given access to an electronic file sharing program that alerted me via email when
2 important documents were filed so that I could review them and keep up with the developments in
3 the case which I understood was one of my duties as a class representative. I could also access court
4 filings from this case on my attorney's law firm website. Also, Legends took my deposition, which
5 required numerous hours of preparation, in which I adequately prepared and was comfortable to
6 give testimony on my experiences.

7 7. Even though this action is in the process of settling, I was and remain prepared to perform
8 all the duties of a class representative. I understand that as a class representative I have assumed a
9 fiduciary responsibility to prosecute this class action on behalf of the absent class members. I have
10 understood that as a fiduciary, I have a duty to prosecute this action for the benefit of the class
11 members and surrender any right to compromise the group action for an individual gain.

12 8. I understood that being a plaintiff/class representative in this case meant that I was seeking
13 damages not only for myself but also other current and/or former misclassified employees working
14 for Legends in California who make up the class. I felt that these individuals were not aware of
15 their labor law rights and even if they were they would probably be apprehensive about speaking
16 up or even simply because of the time, effort and risk involved in filing a class action lawsuit.

17 9. I understood that being a part of this lawsuit involved risks. For example, my attorneys
18 explained to me that if the case went to trial and we lost, I could be held responsible to pay for all
19 or part of the attorney fees and costs paid by Legends to defend this lawsuit. Also, I knew there
20 was a risk that future employers, if they ever find out about this lawsuit, could hold it against me or
21 downgrade me as a potential hire. As the only named Plaintiff in this case it would not be difficult
22 for a future employer to become aware that I sued a former employer for labor law violations.
23 Ultimately, I decided these risks were worth it and decided to fight for my rights and the rights of
24 others regardless of the risks, time and effort I spent on this case.

25 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also kept up
26 to date on important developments by reviewing court filings that were made available to me
27 electronically as I described above.

28 11. A mediation took place on November 29, 2021, which did not result in a settlement of this

1 matter. A second mediation took place on June 5, 2023 with Hon. Carl J. West (Ret.) a well-
2 respected and experienced mediator of wage and hour class actions. After the mediation the parties
3 were able to come to an agreement to settle the action. I communicated with my attorneys regarding
4 the terms of the settlement which was reached between the parties and understood that I was
5 representing absent class members and therefore wanted the best possible result to be obtained for
6 the class members and I believe a very positive result was in fact achieved via settlement. I also
7 closely reviewed and signed the Settlement Agreement.

8 12. I have been actively involved with this lawsuit performing the duties described above.
9 Although I did not keep time records, I was in regular contact with my attorneys, reviewed court
10 filings and spent a significant amount of time on the issues presented during the lawsuit and in the
11 settlement process. I estimate that I spent approximately 40-50 hours working on this case up until
12 this point. I believe I have been diligent and have done what is expected of a named plaintiff and a
13 proposed class representative to date, and will continue to do so. I have and always will maintain
14 the best interest of the class members.

15 13. My attorneys explained to me that the settlement process involves a two-step review by the
16 Court to determine whether the settlement is fair before approving the settlement. I know this
17 process also involves notifying all class members of the settlement terms and of their rights to make
18 a claim for their settlement share, to opt out of the settlement or to object to the settlement.

19 14. I believe I did the right thing by filing this case on behalf of the class members who, subject
20 to court approval, are in line to receive monetary payments as a result of this case and settlement.
21 This is money they may never have ever gotten if I did not pursue this action on their behalf. I feel
22 significant personal satisfaction to know that I played a role in the class members being entitled to
23 monetary payments as a result of the filing of this lawsuit. I also believe that the requested class
24 representative service award of \$10,000 from the settlement is fair compensation for the work I
25 performed and the risks I undertook.

26 15. In light of all the time and effort I have spent on this case, the risk I undertook by suing a
27 former employer, the exposure to being responsible for paying Legends costs in the event we did
28 not win the case, the reputational risk that future employers may hold this lawsuit against me, and

1 in light of the size of the settlement, I believe the request for \$10,000 as a class representative
2 service payment is fair and reasonable.

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

5 Executed on 05/28/2025, at Las Vegas, NV.
6 (date) (city, state)

7 

8 Ezekiel H. Trezevant IV (May 28, 2025 12:18 PDT)

9 Ezekiel H. Trezevant IV
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28