

Edwin Aiwazian (SBN 232943)
Arby Aiwazian (SBN 269827)
Joanna Ghosh (SBN 272479)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiffs Deisy Salas, Kristal Carmona, Israel Linthrop, Alicia-Krueger-Aguirre, and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA**

DEISY SALAS, KRISTAL CARMONA,
ISRAEL LINTHROP, ALICIA KRUEGER-
AGUIRRE, individually, and on behalf of
other members of the general public similarly
situated and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act;

Plaintiffs,

v.

J & S RESTAURANTS, INC., a California
corporation; TOPP END ENTERPRISES,
INC., a California corporation; VALENCIA
TPP, a general partnership; YEASTIE
BOYS, a general partnership; and DOES 1
through 100, inclusive,

Defendants.

THEODORE CHRISTOPHER MILLER,
NOLAN MALONE, individually, and on
behalf of other members of the general
public similarly situated;

Plaintiffs,

v.

VENTURA COUNTY RESTAURANT
SERVICES INC. DBA TOPPERS PIZZA
PLACE, a California corporation; and
DOES 1 through 100, inclusive,

Defendants.

Lead Case No.: 56-2019-00526959-CU-
OE-VTA (*Salas* Action)
(*Consolidated with 56-2020-00546726-
CU-OE-VTA*)

Honorable Henry J. Walsh
Department 42

CLASS ACTION

**DECLARATION OF DEISY SALAS
IN SUPPORT OF PLAINTIFFS'
MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT,
ATTORNEY'S FEES, COSTS, AND
ENHANCEMENT PAYMENTS**

[Notice of Motion and Motion for Final Approval
of Class Action Settlement, Attorneys' Fees,
Costs, and Enhancement Payments; Declaration
of Class Counsel (Edwin Aiwazian, Zack
Broslovsky, Jonathan A. Weinman, and Dennis
Hyun); Declarations of Class Representatives
(Kristal Carmona, Israel Linthrop, Alicia
Krueger-Aguirre, Theodore Christopher Miller,
and Nolan Malone); Declaration of Settlement
Administrator (Taylor Mitzner); and [Proposed
Final Approval Order and Judgment filed
concurrently herewith]

Date: April 4, 2022
Time: 8:30 a.m.
Department: 42

Salas Complaint Filed: March 29, 2019
Salas FAC Filed: August 2, 2019
Salas SAC Filed: November 7, 2019
Salas TAC Filed: October 29, 2020
Miller Complaint Filed: August 5, 2019
Miller FAC Filed: September 29, 2020
Trial Date: None Set

DECLARATION OF DEISY SALAS

I, **Deisy Salas**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the named plaintiffs in *Deisy Salas, et al. v. J & S Restaurants, Inc., et al.*, Superior Court of California for the County of Ventura, Case No. 56-2019-00526959-CU-OE-VTA, which has been consolidated with *Theodore Christopher Miller, et al. v. Ventura County Restaurant Services, Inc. dba Toppers Pizza Place*, Superior Court of California for the County of Los Angeles, Case No. 20STCV29500. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed at Toppers Pizza Place in an hourly-paid, non-exempt position from approximately March 2017 to approximately May 2018. I decided to seek legal advice about my work experiences with Toppers Pizza Place and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Toppers Pizza Place paid me and other employees what was owed to us, and was held accountable for its practice of not properly compensating its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated class action lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 6 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for 5 hours discussing my situation, class action and Private Attorneys General Act (“PAGA”) lawsuits in general, and what it means to be a class representative and a PAGA representative.

3. I have spent over 15 hours meeting with my attorneys regarding the case and fulfilling my responsibilities as a named plaintiff and class and PAGA representative, which included gathering documents concerning my employment with Toppers Pizza Place, reviewing documents with my attorneys and answering their questions, providing information regarding the duties of non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Toppers Pizza Place. I routinely checked in with my attorneys and their staff to make sure that they were updated with my most current information and any additional information that I had obtained.

1 4. Throughout the case, I was available to answer any questions my attorneys had,
2 and available to speak and meet with my attorneys whenever they needed me. I responded to
3 them as quickly as possible and gave them as much information and identified as many
4 documents as I could. I spent at least 13 additional hours speaking with my attorneys about the
5 case, identifying potential witnesses, providing my attorneys with documents and information
6 concerning the case, and also describing policies, practices, and procedures of Toppers Pizza
7 Place.

8 5. As far as the settlement is concerned, I was available to review documents and
9 answer any questions my attorneys had. I spent about 3 hours reviewing the settlement
10 agreement, about 2 hours asking questions and discussing the potential settlement with my
11 attorneys before signing the settlement agreement, and about 1 hour monitoring the progress of
12 the settlement.

13 6. I believe that I have done everything that my attorneys have asked of me and have
14 tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees
15 and the State of California. I think my efforts helped to get the result obtained in this case, and
16 as a class and PAGA representative, I respectfully request that the Court award me an
17 enhancement payment in the amount of \$10,000.00 for my active participation in this case.
18 Taking into consideration the time that I have dedicated to this case, I believe that this amount is
19 reasonable.

20 7. I am not related to anyone associated with Lawyers *for* Justice, PC, Broslavsky &
21 Weinman, LLP, or Hyun Legal, APC.

22 8. I have not entered into any undisclosed agreements, nor have I received any
23 undisclosed compensation in this case. The only compensation I will receive is whatever amount
24 the Court awards as an enhancement payment, as well as my individual settlement payment.

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

27 ///

28 ///

03/07/2022

Executed this _____ day of March 2022, at Oxnard, California.

Electronically Signed 2022-03-07 20:59:41 UTC - 76.95.106.117
Deisy Salas
Nintex AssureSign® 7335c662-5065-4c09-a404-ae51015332bd

Deisy Salas