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Attorneys for Plaintiff
 AMBER BARRETT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

AMBER BARRETT, as an aggrieved employee
 pursuant to the Private Attorneys General Act
 ("PAGA");

PLAINTIFF,

vs.

SIERRA PACIFIC MORTGAGE CO., INC., a
 California Corporation, SIERRA PACIFIC
 MORTGAGE, INC., a California Corporation;
 and DOES 1 through 20,

Defendants.

) Case No.: Case No.: CVRI2000156

) **PAGA ENFORCEMENT ACTION**

) **DECLARATION OF AMBER BARRETT IN**
) **SUPPORT OF MOTION FOR APPROVAL**
) **OF PAGA SETTLEMENT**

) Date: January 3, 2022

) Time: 8:30 a.m.

) Dept: 6

) [Reservation No. 199341625129]

) [Filed concurrently with Notice of Motion;

) Memorandum of Points and Authorities;

) Declaration of Cynthia S. Sandoval; Declaration

) of Matthew S D'Abusco; and [Proposed]

) Judgment]

) Complaint Filed: November 10, 2020

) Trial Date: None

)

DECLARATION OF AMBER BARRETT

I, AMBER BARRETT, declare as follows:

1. I have personal knowledge of the facts set forth in this declaration and could and would competently testify to them under oath if called as a witness.

2. I am the named Plaintiff in this action and submit this declaration in support of Plaintiff's Motion for Approval of PAGA Settlement. Because I believe I have provided invaluable assistance during the course of this case, I am hopeful that the Court will approve our request of a \$5,000.00 service payment for serving as a private attorney general in this matter.

PAGA CASE MANAGEMENT ORDER NO. 1 SECTION 3(a)

3. I was employed by Defendant Sierra Pacific Mortgage Company, Inc. ("Defendant") as an hourly employee from October 2019 to May 2020. During my employment with Defendant, I believed I suffered several violations of California wage laws including, among other things, not being paid for all hours I worked, because my rates of pay were incorrectly calculated due to the inclusion of bonuses and meal period premiums.

PAGA CASE MANAGEMENT ORDER NO. 1 SECTION 6(i)

4. On July 23, 2020, I submitted a PAGA letter to the California Labor and Workforce Development Agency ("LWDA") with the assistance of my attorneys, Ares Law Group, P.C. ("ALG"), outlining the wage violations I believed occurred during my employment with Defendants. When the LWDA did not respond to the letter, I decided to file this case as an aggrieved employee under the California Private Attorneys' General Act ("PAGA"). Therefore, on November 10, 2020, I filed a Complaint against Defendant in Riverside County Superior Court asserting a single cause of action for PAGA penalties.

5. By filing this lawsuit and becoming a private attorney general, I hoped that I might be able to change Defendant's policies to better protect the working conditions of my former co-workers. I also understood it was my duty as a private attorney general to represent the best interests of all aggrieved employees, know about the lawsuit, help my attorneys, and keep updated on the case, all of which I did.

6. Since I retained my attorneys and submitted a PAGA letter in this case, I have been

1 actively and consistently involved in pursuing my claims against Defendant. This has included, among
2 other things, numerous calls and meetings with my attorneys where we discuss my employment with
3 Defendant, the information and documentation Defendant provided in the course of this litigation, as
4 well as case and settlement strategy.

5 7. On June 11, 2021, I participated in a mediation of this case with my attorneys. The
6 mediation lasted all day, and I was not able to work for most of the day as I worked closely with my
7 attorneys to negotiate a settlement. When we were successful in doing so, I then reviewed numerous
8 settlement documents over the next few weeks to finalize the terms of the Agreement.

9 **PAGA CASE MANAGEMENT ORDER NO. 1 SECTION 6(ii)**

10 8. Altogether, I have spent at least thirty (30) hours working to make the PAGA case against
11 Defendant to do what I believe is right.

12 **PAGA CASE MANAGEMENT ORDER NO. 1 SECTION 6(iii) and (iv)**

13 8. I reside in the Coachella Valley, which is a relatively small community. Participating in
14 this case was not easy for me. I fear that my participation as a PAGA representative may result in
15 repercussions effecting my future working career because I chose to stand up and pursue what I believed
16 was right. While I have not suffered any adverse consequences to date, I remain concerned prospective
17 employers may be able to find out whether I was involved in this lawsuit either through the public nature
18 of this litigation or future communications with Defendant and/or its employees. I know other
19 companies may be able to search my name and find out I was involved in a lawsuit or could otherwise
20 ask or find out. Although this took considerable thought, I decided I still needed to move forward.

21 **PAGA CASE MANAGEMENT ORDER NO. 1 SECTION 6(v)**

22 9. I have not suffered any actual expenses in proceeding with this litigation. In attending
23 mediation, I was not able to work the majority of a day of work because I was working closely with my
24 attorneys while participating in mediation. This effected my normal work duties and responsibilities.

25 **PAGA CASE MANAGEMENT ORDER NO. 1 SECTION 6(vi)**

26 10. I have never served as a PAGA representative in any prior litigation, and strongly doubt I
27 will again in the future.

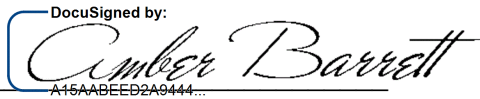
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PAGA CASE MANAGEMENT ORDER NO. 1 SECTION 5(a) to (d)

11. On July 30, 2020, I submitted a Demand for Arbitration against Defendant setting forth individual claims for: (1) pregnancy/sex discrimination in violation of the California Fair Employment and Housing Act ("FEHA"); (2) harassment in violation of FEHA; (3) retaliation in violation of FEHA; (4) failure to accommodate and failure to engage in the interactive process in violation of FEHA; (5) failure to prevent discrimination, harassment and retaliation in violation of FEHA; (6) wrongful termination in violation of public policy; (7) defamation; (8) failure to pay wages; (9) failure to timely pay wages; and (10) failure to provide accurate itemized wage statements. I resolved all these claims by way of a Confidential Settlement Agreement and General Release.

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

Executed on 11/30/2021, in Cathedral City, California.

DocuSigned by:

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Amber Barrett