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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

ALBERT EBUEN, individually, and on
behalf of other members of the general
public similarly situated; MARICEL J.
SANTA ANA, 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,

vs.

RED RIBBON BAKESHOP INC., a
California corporation; and DOES 1 through
100, inclusive,

Defendants.

Case No.: BC715064

Honorable Kenneth R. Freeman
Department SSC14

CLASS ACTION

**DECLARATION OF ALBERT EBUEN IN
SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, ATTORNEYS'
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); Declaration of Class
Representative (Maricel J. Santa Ana);
Declaration of Settlement Administrator
(Lindsay Kline); and [Proposed] Final
Approval Order and Judgment filed
concurrently herein]

Date: June 28, 2022
Time: 10:00 a.m.
Department: SSC14

Complaint Filed: July 26, 2018
FAC Filed: January 25, 2021
Trial Date: None Set

DECLARATION OF ALBERT EBUEN

I, **Albert Ebuén**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in the above-captioned case. 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. This declaration and its contents are not intended to waive any mediation, settlement, or any attorney-client communication privileges or confidentiality.

2. I was employed by Defendant Red Ribbon Bakeshop Inc. ("Red Ribbon") in an hourly-paid, non-exempt position from approximately March 2011 to November 2015. I decided to seek legal advice about my work experiences with Red Ribbon 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 Red Ribbon paid me and other employees what was owed to us for all hours worked (e.g., for off-the-clock work, minimum and regular pay, and overtime pay), non-compliant meal and rest breaks, and failure to reimburse expenses. After speaking with the attorneys, I investigated complex wage-and-hour 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 to discuss my situation, complex wage-and-hour class actions in general, and what it meant to be a named plaintiff and class representative. Prior to commencing the case, I was informed of and came to understand what my duties and responsibilities would be as a class representative, and also, if class certification were to be obtained, what my duties and responsibilities would be in that event.

3. I have spent over 22 hours meeting with my attorneys and fulfilling my responsibilities as a class representative in this case, which included gathering documents concerning my employment with Red Ribbon, reviewing documents with my attorneys and answering their questions, answering questions and providing guidance regarding the work performed by other non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Red Ribbon. I frequently checked in with my attorneys and their

1 staff to make sure that they had my most current information and any additional information that
2 I had obtained.

3 4. Throughout the case, I was available to answer any questions my attorneys had,
4 and available to speak and meet with them whenever they needed me. I responded to my
5 attorneys as quickly as possible and gave them as much information and identified as many
6 documents as I could. I spent at least 15 additional hours speaking with my attorneys about the
7 case, identifying potential witnesses, providing my attorneys with documents and information
8 concerning the case, and also describing policies, practices, and procedures of Red Ribbon.

9 5. As far as the settlement is concerned, I was available to review documents and
10 answer any questions my attorneys had. I spent about 3 hours reviewing the settlement
11 documents and about 3 hours asking questions and discussing the potential settlement, mediation
12 and outcome thereof, settlement paperwork, and amended settlement paperwork with my
13 attorneys before signing the settlement papers.

14 6. I understand that a settlement has been reached in my case to resolve the class
15 claims, and I further understand what my duties and responsibilities are as a class and PAGA
16 representative. For example, I am aware that if the settlement is granted preliminary approval,
17 the Court will certify a class for settlement purposes, and likely appoint me as the representative
18 of the class and my attorneys as counsel for the class. I also understand that I will be tasked with
19 checking in on, monitoring, and conferring with my attorneys and counsel for the class to
20 facilitate the notice and settlement administration process, and to provide information that the
21 Court needs to assess whether the settlement is fair, reasonable, and adequate. Further, if any
22 individuals who are potential class members contact me, I will take steps to have them referred
23 to the Court-appointed settlement administrator so that these individuals may receive whatever
24 information and notice they may be eligible to receive in connection with the settlement and
25 contemplated final approval hearing.

26 7. I believe that I have done everything that my attorneys have asked of me and have
27 tried, to the best of my ability, to represent the class. I think my efforts helped to get the result
28 obtained in this case, and as a class representative, I respectfully request that the Court award me

1 an enhancement payment in the amount of \$10,000.00 for my active participation in this case.
2 Taking into consideration the time that I have dedicated to this case, I believe that this amount is
3 reasonable.

4 8. I am not related to anyone associated with Lawyers *for* Justice, PC.

5 9. I have not entered into any undisclosed agreements, nor have I received any
6 undisclosed compensation in this case. The only compensation I will receive is whatever amount
7 the Court awards as an enhancement payment, as well as my share of the settlement fund as a
8 class member.

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

11 Executed on 08/10/2021, at Las Vegas, Nevada.

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14 Electronically Signed 2021-08-11 05:27:31 UTC - 172.58.76.163
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