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and VICKY WRIGHT

[Additional Counsel on Next Page]

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

WENDY SGONTZ, as an individual and on
behalf of all others similarly aggrieved
employees,

Plaintiffs,

vs.

CROSSMARK, INC., a Delaware corporation;
and DOES 1 to 50, inclusive,

Defendants.

Case No. 30-2021-01204377-CU-OE-CXC

Assigned for All Purposes to:
Hon. Randall J. Sherman
Dept. CX105

**DECLARATION OF JENNIFER
SHELLENBAUM IN SUPPORT OF
MOTION FOR APPROVAL OF
SETTLEMENT UNDER PRIVATE
ATTORNEYS GENERAL ACT**

Date: August 9, 2024
Time: 10:00 a.m.
Dept.: CX-105

Reservation No.: 74284280

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Attorneys for Plaintiff Jennifer Shellenbaum

1 I, Jennifer Shellenbaum, declare:

2 1. I am a competent adult, I have personal knowledge of the facts in this declaration, and I
3 am making this declaration on behalf of myself, as a named plaintiff, and in support of the Motion to
4 Approve Private Attorneys General Act Settlement.

5 2. I worked in California as a non-exempt employee of Crossmark, Inc. ("Crossmark")
6 from approximately February of 2017 to February of 2021.

7 3. I retained my attorneys who are experienced in PAGA representative action litigation
8 and claims against employers for violations of the California Labor Code. I have no personal
9 relationship or family ties to my attorneys or any officer of the Court. I am not aware of having any
10 actual or potential conflicts of interest with another aggrieved employee in this case nor am I aware of
11 having any actual or potential conflicts of interest with ILYM Group Inc., the settlement administrator.

12 4. I was subject to Crossmark's policies and practices that have been alleged as unlawful in
13 the operative complaint and the PAGA notice sent to the Labor and Workforce Development Agency.
14 For example, I was not paid for all hours worked and often did not receive compliant meal and rest
15 breaks.
16

17 5. In bringing this case for myself, the State of California, and the other employees, I
18 understood a lot of work would be required and I was willing to, and did, do the work to keep the case
19 moving forward. For instance, before the complaint was filed I spoke to my attorneys several times and
20 discussed how Crossmark implemented its company policies and procedures. I also assisted my attorneys
21 in their investigation into my claims by providing them documents and answering their questions. I
22 reviewed the complaint before it was filed and after it was filed I was given access to an electronic file
23 sharing program that alerted me via email when important documents were filed so that I could review
24 them and keep up with the developments in the case. I was informed that Crossmark had the right to take
25 my deposition, and that the preparation and deposition itself could take multiple days. Although my
26 deposition was not taken, I feel I would have been adequately prepared and comfortable to give testimony
27
28

1 on my experiences.

2 6. My attorneys explained to me the risks and benefits of bringing a representative action.
3 I understood that I took on the risk, both professionally and financially, in pursuing the case as a
4 representative PAGA action.

5 7. A mediation took place in August of 2023 with Lisa Klerman, a well-respected and
6 experienced mediator of wage and hour actions. The mediation resulted in an agreement to settle the
7 action. I communicated with my attorneys regarding the terms of the settlement which was reached
8 between the parties. I consented to the settlement, signed the memorandum of understanding
9 memorializing the settlement, and later, reviewed and signed the settlement agreement.
10

11 8. I have been actively involved with this lawsuit. Although I did not keep time records, I
12 was in regular contact with my attorneys, reviewed court filings, and spent a significant amount of time
13 on the issues presented during the lawsuit and in the settlement process. I estimate that I spent
14 approximately 20-30 hours working on this case up until this point.
15

16 9. I reviewed the final Private Attorneys General Act Settlement Agreement and I believe it
17 is fair and reasonable given the facts of the case.
18

19 10. As part of the settlement it was necessary for me to sign a general release of all claims I
20 may have against Crossmark. I believe the Enhancement Payment I have requested provides me with
21 some compensation for this agreed release and is also fair compensation for the service I performed and
22 the risks I undertook.
23

24 Executed on Apr 17, 2024, at Bullhead City, AZ.
25 (city, state)

26 
Jennifer Shellenbaum (Apr 17, 2024 13:31 PDT)
27 Jennifer Shellenbaum
28