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Attorneys for Defendant
BERKELEY BOWL PRODUCE, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

SPENCER SUMISAKI, DAVIAN
MONTGOMERY, individually, and on
behalf of other members of the general
public similarly situated; NADIA
MORALES, 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;
NINA WILLIAMS, individually, on behalf
of other aggrieved employees pursuant to the
California Private Attorneys General Act,

Plaintiffs,

v.

BERKELEY BOWL PRODUCE, INC., a
California corporation; and DOES 1
through 100, inclusive,

Defendants.

CASE NO. RG19014520

**DECLARATION OF SEAN BOTHAMLEY
IN SUPPORT OF PLAINTIFFS'
SUPPLEMENTAL BRIEF IN SUPPORT
OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Reservation No. 768154232963
Date: February 15, 2022
Time: 10:00 a.m.
Department: 21

Complaint Filed: April 10, 2019
FAC Filed: July 17, 2019
SAC Filed: November 20, 2020

1 I, Sean Bothamley, declare:

2 1. I am an attorney licensed to practice law in the State of California and an associate
3 of the law firm of Hopkins & Carley, A Law Corporation, counsel of record for Defendant
4 BERKELEY BOWL PRODUCE, INC. (“Defendant”) in the above-captioned matter. I make this
5 declaration in support of Plaintiffs’ Supplemental Brief in Support of Motion for Preliminary
6 Approval of Class Action Settlement.

7 2. Except for those matters expressly based on information and belief, I know the
8 following facts to be true of my own knowledge, or have gained knowledge of them from
9 Hopkins & Carley’s business records, which records are maintained in the ordinary course of the
10 firm’s business and for which I am one of the custodians. If called as a witness, I could and
11 would testify competently as to the following facts.

12 3. Pursuant to California Code of Civil Procedure section 382.4, and to the best of
13 my knowledge and understanding, neither the undersigned nor any other attorney at Hopkins &
14 Carley, ALC has a connection or relationship with the proposed cy pres recipient, Katherine and
15 George Alexander Community Law Center, that could reasonably create the appearance of
16 impropriety between the selection of the cy pres recipient and the interests of the proposed class.

17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct, and that this declaration was executed on this 7th day of February
19 2022, at San Jose, California.

20
21 
Sean Bothamley