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Attorneys for Plaintiff SILVIA MADRIGAL VARGAS

SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

MICHAEL GREBE, individually, and on
behalf of other members of the general public
similarly situated,

Plaintiff,

v.

MARY ANN’S BAKING CO., INC., a
California corporation, and DOES 1 through
100, inclusive,

Defendants.

Case No. 34-2020-00285254-CU-OE-GDS

CLASS ACTION

*Assigned to the Honorable Jill H. Talley for all
purposes*

**DECLARATION OF SILVIA MADRIGAL
VARGAS IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY APPROVAL OF
CLASS, COLLECTIVE, AND
REPRESENTATIVE ACTION SETTLEMENT**

Reservation No. 2662349

Date: October 28, 2022
Time: 9:00 a.m.
Dept.: 25

Filed: September 14, 2020
FAC Filed: May 12, 2022
Trial Date: None Set

1 I, Silvia Madrigal Vargas, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this declaration,
3 and I am making this declaration on behalf of myself, as a named plaintiff, and in support of Plaintiffs'
4 Motion for Preliminary Approval of Class, Collective, and Representative Action Settlement ("Motion").

5 2. I worked for Defendant Mary Ann's Baking Co., Inc. ("Defendant") from approximately
6 2011 to September 2020 as an hourly, non-exempt employee. I was subject to all of Defendant's policies
7 and practices that have been alleged as unlawful in the Complaint and the notice sent to the Labor and
8 Workforce Development Agency, including the following: failure to pay overtime, failure to provide
9 meal and rest periods or pay premiums in lieu thereof, failure to pay minimum wages, failure to timely
10 pay final wages, failure to provide accurate wage statements, failure to reimburse expenses, and failure
11 to pay all sick leave wages.

12 3. I have actively participated in the litigation of this case. I have given a detailed account of
13 all the facts related to my employment and the claims asserted in the Complaint. I provided extensive
14 documentation in support of the claims brought against Defendant including paystubs, Defendant's
15 policies, and other documents related to my work with Defendant and to the claims brought in the class
16 action. I also met with and assisted my attorneys Galen T. Shimoda and Justin P. Rodriguez in
17 understanding the documents and providing context for Defendant's payroll process as it applied to me
18 and how I believed it applied to Defendant's other employees.

19 4. My attorneys explained to me the risks and benefits of bringing a class action and a claim
20 under the Private Attorneys General Act of 2004. I understood I took on the risk, both professionally and
21 financially, in pursuing the case as a class and representative action rather than pursuing my claims
22 individually. I understood pursuing the case as a class action meant that it would take substantially longer
23 than pursuing a claim with the California Labor Commissioner and that I risked getting nothing in the
24 end. I also understood of the risk of having a judgment entered against me for attorneys' fees and costs
25 and the possibility of having difficulty finding employment in the future. But I believed it was important
26 to make sure that Defendant followed the law for everyone.

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1 5. I maintained communication with my attorneys throughout the litigation, discussing the
2 facts and policies at issue in the case with Shimoda & Rodriguez Law, PC. I asked questions when I
3 needed clarification about various aspects of this case to make sure there were continually steps taken to
4 advance the interests of the class. I also understood that the recovery in this case was for the benefit of
5 my fellow coworkers, not just for me. When my attorneys contacted me asking for more information or
6 documents related to the case, I made myself available and tried to give or obtain any additional
7 information I could. I participated in the negotiations and settlement discussions in this case, including
8 participating in mediation by phone, speaking with my attorney to answer questions, providing any
9 additional information needed to assist the negotiations, and discussing the potential terms of the
10 Stipulation and Settlement of Class, Collective, and Representative Action (“Agreement”) to evaluate its
11 adequacy.

12 6. I have reviewed the final Agreement, discussed the terms with my attorneys, and asked
13 my attorney any questions I had. I believe the settlement terms and allocations are fair and reasonable
14 given the facts of the case.

15 7. Although I have already spent a substantial amount of time on this case and assisting my
16 attorneys, I expect the amount of time I spend on this case will increase if preliminary approval is
17 granted because Class Members will likely reach out to me about the Agreement and the process for
18 receiving payment.

19 8. I have not received any benefits as a result of filing this lawsuit. I have, however,
20 experienced substantial burdens as a result of filing the lawsuit that other Class Members were not subject
21 to. For example, in bringing the lawsuit, I assumed the risk of having to pay Defendant’s costs if the
22 Court or jury rules against us on the claims. My understanding is that this is a substantial risk because
23 the costs associated with litigation, in general, are very high and this cost is multiplied many times over
24 in complex litigation like class actions. I have spent a substantial amount of time in this case, securing a
25 monetary benefit for many individuals who have not had to do anything whatsoever to have the
26 opportunity to receive it.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 09/29/2022 of September 2022 in Carmichael, California.

Silvia Madrigal Vargas