

COHELAN KHOURY & SINGER

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Jeff Geraci (SBN 151519)

jgeraci@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Telephone: (619) 595-3001/Facsimile: (619) 595-3000

DAVTYAN LAW FIRM, INC.

Emil Davtyan (SBN 299363)

support@davtyanlaw.com

400 N. Brand Blvd, Suite 700

Glendale, CA 91203

Telephone: (818) 875-2008/Facsimile: (818) 722-3974

Attorneys for Plaintiff Daniel Marden, on behalf of himself
and all other similarly-situated and aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF PLACER

DANIEL MARDEN, on behalf of himself
and all other similarly-situated and
aggrieved employees,

Plaintiff,

v.

CVS PHARMACY, INC., a Rhode Island
Corporation; LONGS DRUG STORES
CALIFORNIA, L.L.C.; a California Limited
Liability Company; and DOES 1 through 10,
Inclusive,

Defendants.

Case No. S-CV-0045902

CLASS AND REPRESENTATIVE ACTION

**DECLARATION OF DANIEL MARDEN IN
SUPPORT OF UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT**

Hearing: May 4, 2023

Time: 8:30 a.m.

Dept: 3

Judge: Hon. Michael Jones

Complaint filed: December 4, 2020

Trial date: Not set

1 I, Daniel Marden, declare:

2 1. I am over eighteen years of age. If called as a witness, I could testify to the facts
3 below based on personal knowledge.

4 2. I am not related to any attorney on the case, I am not aware of any interests I
5 have that are averse to the interests of any class member, and I do not have any conflicts that
6 would keep me from adequately representing the class. I have been and remain committed to
7 prosecuting this case vigorously on behalf of the class. I agreed to become a representative and
8 named plaintiff in this case to represent other employees who experienced similar violations.

9 3. I was employed by CVS as a cashier in its Folsom facility September 2017 to
10 May 2020. After my employment ended, I retained the law firms of Cohelan Khoury & Singer
11 and Davtyan Law Firm, Inc. to pursue this case as a PAGA Representative action, and then, as
12 a Class Action. The case challenges CVS's sick pay wage policy.

13 4. Since the case started, I have had many calls, and exchanged many emails with
14 my attorneys, and provided all documents and records they requested about my employment. I
15 also signed documents so my attorneys could request additional records from CVS.

16 5. By filing this lawsuit, I understood I was not only seeking compensation for
17 myself, but for other employees, and doing so would delay any payment I might get for my
18 individual claims, but I agreed to do it to help others who were not aware of their rights, or
19 were afraid to complain for fear of losing their jobs. I understood the lawsuit could continue for
20 years, and require my attention the entire time. I was made aware that as a class representative,
21 I was taking the risk of having a judgment entered for CVS's legal costs if the case were lost.

22 6. I understood by filing my lawsuit, prospective employers could search the
23 internet and see I sued a previous employer, and I could lose job opportunities in the future.

24 7. Despite the risks, I am proud to have my name on the case and to have caused
25 CVS to pay my fellow employees a substantial amount because I filed it.

26 8. To prepare for mediation, I discussed the case in detail with my attorneys,
27 including its potential strengths and weaknesses. I believe my thorough knowledge of CVS's
28 practices helped them to evaluate the claims and assess the potential damages at mediation.

- 2 -

Declaration of Daniel Marden in Support of Unopposed Motion for Preliminary Approval of
Settlement - Case No. S-CV-0045902