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Class Counsel for the Certified Class and Representative PAGA Group

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – COMPLEX DIVISION**

KALKIDAN SILER, as an individual and on
behalf of all others similarly situated;
(related to SHANE CASKEY – PAGA only
action),

PLAINTIFFS,

v.

JOEY RESTAURANT (LOS ANGELES)
INC.; JOEY RESTAURANT
(MANHATTAN BEACH) INC.; JOEY
RESTAURANT (WOODLAND HILLS)
INC.; JOEY RESTAURANT GROUP; and
DOES 1 thru 50, inclusive,

DEFENDANTS

CASE NO. 21STCV11098

*[Assigned for All Purposes to Hon. David
Cunningham in Dept. 11]*

**DECLARATION OF PLAINTIFF
KALKIDAN SILER IN SUPPORT OF
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: September 26, 2023

Time: 10:00 AM

Dept.: 11

Case No. 21STCV11098

DECLARATION OF CLASS REPRESENTATIVE PLAINTIFF KALKIDAN SILER IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

DECLARATION OF KALKIDAN SILER

I, Kalkidan Siler, declare as follows:

1. I am a competent adult, over the age of eighteen, and the named Plaintiff in the above-captioned matter. The following is based upon my personal knowledge, and if called as a witness, I could and would testify competently thereto.

2. I am a former employee of Defendants JOEY RESTAURANT (LOS ANGELES) INC.; JOEY RESTAURANT (MANHATTAN BEACH) INC.; JOEY RESTAURANT (WOODLAND HILLS) INC.; JOEY RESTAURANT GROUP (“Joey Restaurant” or “Defendant”) as an hourly employee.

3. I brought this lawsuit, on behalf of myself and all other Class Members, against Defendant, because I believe that JOEY Restaurant did not provide wages/overtime, provide/compensate for mandated meal and rest periods, failed to keep accurate information, conversion, failed to issue accurate itemized wages statements, and failed to provide all wages due at the time of termination or resignation to me and other employees.

4. I understand that I am representing other employees and I believe that I am able to represent them well.

5. I first researched attorneys who are very experienced with these types of lawsuits. Once retained, I compiled relevant documents from my employment to assist my attorneys in litigating this case. I worked with my attorneys to develop the facts and legal claims in this lawsuit.

6. Throughout the litigation, I have provided my attorneys with helpful information for this lawsuit and for the Settlement as needed. Additional work in connection with this matter includes providing information to my attorneys regarding my employment with Defendant, staying in regular contact with my attorneys to discuss the status of the case, responding promptly to my attorneys’ various communications regarding this matter, attending a full-day mediation on January 27, 2022; and reviewing and analyzing the settlement agreement and settlement papers to ensure the settlement was fair and reasonable and in the best interests of the Class Members.

7. I have worked to actively represent the other Class Members and their interests.

1 8. I have always kept the Class Members interests at heart in this litigation.

2 9. I am prepared to continue assisting with this litigation and am committed to
3 achieving the best possible results for the Class.

4 10. I believe that the class action settlement obtained on behalf of the Class is fair and
5 reasonable in light of the issues involved in this case. As mentioned above, I reviewed and
6 discussed the Settlement Agreement with my attorneys and asked them questions about it to
7 ensure that I understood its terms and what it would mean for all of the class members.

8 11. I believe that I have fairly represented the absent Class and request that the Court
9 finally approve this settlement and confirm me as Class Representative.

10 12. I am not aware of any conflicts of interest that prevent me from being confirmed as
11 Class Representative Plaintiff in this Lawsuit. I am not related in any way to my attorneys or to
12 any other member of the firm that is representing me.

13 13. It is my opinion that the settlement agreement provides for a fair and adequate
14 enhancement for me as Class Representative Plaintiff, in the amount of \$7,500.00. I believe that
15 this is fair and reasonable in light of all of the work that I have performed in my role as Class
16 Representative Plaintiff. As Class Representative Plaintiff, I have actively participated in all
17 stages of the litigation, as detailed above, and have always maintained the best interests of the
18 Class while performing my Class Representative duties.

19 14. It is also my opinion that the Class Representative enhancement is fair, reasonable,
20 and adequate because, in addition to the many hours spent participating in the prosecution of this
21 case, I accepted the potential risk of being liable for Defendant's attorneys' fees and costs if we
22 were unsuccessful in this Lawsuit. Likewise, I risk the potential stigma of being Class
23 Representative Plaintiff in a class action labor dispute, which may affect my future employability.

24 15. I understand that this litigation involves multiple law firms working together. I
25 initially retained Tina Mehr, Vision Legal, Inc., ("Vision Legal") who then associated with
26 Jennifer Kramer, Henning Kramer Ruiz & Singh, LLP ("HKRS") however, I terminated Ms.
27 Kramer's representation on February 27, 2023. The fee split between these law firms is 65/35
28 with sixty-five percent to Tina Mehr, Vision Legal and thirty-five percent to Henning Ruiz

1 Kramer & Singh. I have been advised of this fee split between Vision Legal and HKRS and
2 agreed to it, in writing, on March 31, 2023.

3 16. I understand that our case was related to another lawsuit against Defendants, filed
4 by Shane Caskey, as a representative PAGA action only, by Eric Kingsley and Liane Katzenstein
5 Ly, Kingsley & Kingsley APC, who are counsel in that matter (“Caskey Counsel”).

6 17. I understand that Vision Legal and Caskey Counsel have agreed to share fees
7 equally with each firm receiving 50% of the fee. I consented to this fee share in writing.

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

10 Executed this 29 day of August, 2023 at 10:36 AM,
11 California.

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KALKIDAN SILER

(PROOF OF SERVICE)
[CCP 1013(a)(3)]
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On August 31, 2023, I served all interested parties in this action the following documents described as: **DECLARATION OF PLAINTIFF KALKIDAN SILER IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

CAMILO ECHAVARRIA
camiloechavarria@dwt.com
EVELYN WANG
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TINA MEHR
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445 S. Figueroa Street, 31st Floor
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Attorneys for Defendants
Attorneys for Plaintiff KALKIDAN SILER

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL THROUGH CASE ANYWHERE): On interested parties set forth on the attached service list.

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 31, 2023, at Los Angeles, California.



Taylor Gregg