

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA
COOK DIVISION**

JESUS GUZMAN, on behalf	)	
of himself and others similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 21-CV-299
	)	
ALCO HARVESTING, LLC, BETTERAVIA	)	
FARMS, LLC, BONIPAK PRODUCE, INC.;	)	
and DOES 1-20, Inclusive,	)	
	)	
Defendants.	)	

**DECLARATION OF DAWSON MORTON
IN SUPPORT OF PAGA SETTLEMENT APPROVAL**

I, Dawson Morton, declare:

1. I am counsel for the plaintiffs in this action. I have personal knowledge of the matters stated herein and if called and sworn as a witness, I could and would competently testify under oath thereto.

2. I am a member in good standing of the State Bars of Georgia and California. I earned my Juris Doctor Degree from New York University School of Law in 1999 and was admitted to practice in the State of Georgia the same year. I was admitted to practice in California, first as a Registered Legal Services Attorney, in 2016 and later as a member of the bar in 2018.

3. I have represented workers in employment disputes for over twenty-five years. I am currently an attorney in private practice. I was previously the Litigation Director for the California Rural Legal Assistance Foundation, a nonprofit organization that provided free civil legal services to indigent farm laborers.

4. During my career, I have represented hundreds of immigrant and low-wage worker clients with a particular focus on H-2A workers. I have been co-lead counsel in PAGA

and class actions including: *Guzman-Padilla v. G & H Dairy*, 2:17-cv-00196-KJN (E.D. Ca.), *Lopez-Gutierrez v. Foothill Packing, Inc.*, Civ. Act. No. 17CV001629 (Monterey Sup. Ct.), *Gomez-Gasca v Future Ag Management, Inc.*, Civ. Act. No. 4:19-cv-2359-YGR (N.D. Ca.), *Altamirano-Santiago v. Better Produce, Inc.*, 2:19-cv-3964-DDP (C.D. Ca.), and *Miguel-Sanchez v. Mesa Packing, Inc.*, 5:20-cv-823-VKD (N.D. Ca.).

5. I believe the settlement reached is a reasonable resolution of disputed claims. Plaintiff Guzman asserted claims for his work as an H-2A worker for the defendants including failure to provide paid sick leave, failure to fully, timely and adequately provide meal and rest breaks, and failure to compensate for travel time spent on Alco's transportation system between Plaintiff's and others similarly-situated company housing and Plaintiff's and others' work location.

6. The settlement Plaintiff and related cases reached with the Defendants, which is being submitted to the Court for approval including the request for fees and service payments, is fair, reasonable, and adequate and should receive this Court's approval. In particular the settlement provides compensation to H-2A workers who, like Plaintiff Guzman, suffered more of the paid sick leave violations and more of the failure to compensate travel wage violations due to the H-2A workers residing in employer provided housing.

7. The settlement was a product of significant litigation, including a trip to the Court of Appeals. *State ex rel. Cisneros v. Alco Harvest, Inc.* (2023) 97 Cal.App.5th 456, review denied Feb. 28, 2024. The settlement was also a product of three separate mediations and was only reached after post-mediation discussions.

8. As part of Plaintiffs' motion for attorney's fees in this case, I seek approval for my fees in this matter. A detailed listing of my time expended in this matter is available. I anticipate that I will spend additional hours on this matter responding to class members or the administrator and assisting with locating class members for payment.

9. I also seek approval for \$984.23 in costs which include travel costs and research costs.

10. The parties have selected Atticus Administration, Inc. to prepare a settlement website and administer the settlement. Their bid is in the amount of \$84,400 and is attached to my declaration. I have no present settlement administration work with Atticus Administration but they have previously administered settlements in which I have been counsel for the plaintiffs and PAGA or plaintiff class. Atticus Administration was selected, in part, based on their experience paying H-2A workers who reside in Mexico and their experience using low cost electronic payments to Mexican bank accounts—an experience which many other settlement administrators lack. In the prior three years they have administered two settlements in which I was counsel for the plaintiffs. I have no other financial or personal relationship with Atticus Administration or their employees.

11. Under penalty of perjury, I declare that the foregoing facts are true and correct to the best of my knowledge.

Executed on October 17, 2025.

____s/ D. Morton_____
Dawson Morton

Atticus Administration, LLC
Chris Longley – CEO

Guzman v. Alco Harvesting

Prepared for

Dawson Morton | Attorney
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Decatur, GA 30030



Estimate E2025-02-E22
Guzman v. Alco Harvesting

Prepared on October 16, 2025
By Chris Longley – CEO | Atticus Administration LLC

Estimate Summary

Atticus Services & Cost Description

NOTICE MAILING – Mailed First Class	\$26,576
Initial notice up to 8 pages mailed to Domestic class members	Included
Notice sent via text and/or WhatsApp to all class members	Included
Undeliverable, return mail processing, NCOA, skip-trace	Included
English and Spanish	Included
PROJECT MANAGEMENT, ADMIN FEES, TECHNICAL	\$10,625
COMMUNICATIONS	\$15,208
PO box rental	Included
IVR, 800#, live operators	Included
Correspondence, out-outs, objections	Included
Static case website, payment selections	Included
FUND, TAX, REPORTING	\$5,680
Setup QSF, file quarterly and annual tax returns	Included
DISTRIBUTION	\$31,343
Check printing, payment calculation and verification, bank fees	Included
Discount	(\$5,032)

TOTAL: **\$84,400**

PRINT NAME

Client Signature

By signing above, I understand and agree to the pricing terms and services to be provided by Atticus Administration for the stated project.

PLEASE NOTE: This estimate and pricing is for the services stated herein and is valid for 30 days from the date of the estimate. If the Settlement Agreement or other service scope document(s) require additional services not included or priced in this estimate, we will separately price those scope changes and submit an updated quote prior to proceeding with the work.

Key Assumptions

- Class Size: **10,428 class members.**
- Notices in English and Spanish, up to 8 pages mailed to Domestic class members, **assumes up to 7,000.**
- Noticing via WhatsApp and/or text message for class members with a valid cell number.
- Data review, cleansing and preparing file for mailing; including NCOA and new address searches (skip-tracing).
- Communications includes dedicated 800#, live operators and IVR for FAQ and other correspondence.
- Website with ability to select payment methods.
- Includes one distribution to all class members. Payments mostly via CLABE or domestic wire. Checks to those with US addresses if no election.
- Employment reporting for one state.
- Class member reporting consists of W2's or 1099's.
- Uncashed funds cy pres or escheat to unclaimed property.

ROLE

Date

Payment Terms:
40% payable at Notice
60% payable at Distribution



Detailed Budget

Atticus Services & Cost Description

DESCRIPTION		UNITS	SUBTOTAL
NOTICE MAILING (Data Cleansing & Analysis) Mailed First Class		10,428 Class Mbrs	\$26,576
Class Data List (Review, Compile, Analysis, Cleansing, Processing)		20 Hours	\$2,470
Class Notice Review (Proof, Finalize, Print Set-Up)		5 Hours	\$618
Class Notice Translation: English -> SPANISH		1 Translation(s)	\$798
Class Notice Printing Domestic Only Mailing - Up to 7,000 Class Members		7,000 Printed Notices	\$6,318
Postage Stamp (within 1 ounce max weight) Domestic Postage		7,000 Mailed Notices	\$4,967
WhatsApp Noticing or Text Messages		10,428 Messages	\$7,039
Notice Undeliverable Mail (Receipting, Cataloging, NCOA, Remailing)	10.0%	700 Pieces	\$3,218
Notice Request Remails (Printing, Postage, Skip-Trace Hits)	3.0%	210 Pieces	\$1,148
PROJECT MANAGEMENT		75 Hours	\$9,375
TECHNICAL SET UP (includes project kick-off)		10 Hours	\$1,250
COMMUNICATIONS			\$15,208
Telephone (Setup, Monthly Fee)		6 Months	\$285
Website (Information Only, Payment Information)		6 Months	\$1,500
Telephone (Messages, Voicemail, IVR, Live Operator Support)		6 Months	\$10,488
PO Box (Setup, Monthly Fee)		6 Months	\$100
Correspondence (Objections, Processing)		Various Hours	\$2,835
FUND, TREASURY & TAX REPORTING			\$5,680
Establish QSF		2 Hours	\$260
Tax Reporting (Prepare and File, Quarterly, Annual, Unemployment, Tax Forms)		8 Hours	\$1,040
Print 1099's & W2's		10,428 1099's & W2's	\$4,380
DISTRIBUTION (Payment Calculations & Reporting)			\$31,343
Check and Cover Letter (Design, Review, Finalize)		5 Hours	\$618
Payment Data (Calculate, Verify Payments)		20 Hours	\$2,470
Payment Reports (Preparation, Reconciliations)		20 Hours	\$2,470
Payment Inputs from Class Member Elections		20 Hours	\$2,470
Check Printing (Print Setup, Printing, Mail Prep)		10,428 Checks or Wires	\$9,672
Check Mailing Postage (will be 1x mailings)		10,428 Mail or Wire Fees	\$9,177
Check Undeliverable Mail (Receipting, Cataloging, NCOA, Remailing)	7.0%	730 Pieces	\$1,878
Bank Fees (Account Setup, Monthly Fee)		6 Months	\$2,588
DATA STORAGE		n/a	\$0
Discount			(\$5,032)
TOTAL			\$84,400

Operating Assumptions

- Class Size: **10,428 class members.**
- Class notice up to 8 pages (English and Spanish) mailed to only Domestic class members, **assumes up to 7,000.** Price includes postage and handling fees.
- Text message and WhatsApp noticing to all class members.
- Data review, cleansing and preparing file for mailing; including NCOA, new address searches, and skip tracing if required.
- Communications includes PO box, mail correspondence, 800# with live phone operators and IVR.
- Static website to host court documents and payment selections.
- All class members who do not opt-out will receive a payment. Assumes most will be using a CLABE or domestic wire transfer.
- Project management assumes 85 hours at a blended rate of \$125 per hour. Includes summary reporting on a weekly basis and all requested declarations.
- Qualified Settlement Fund assumes 6 months. Price tax reporting both state and federal returns. All bank fees are included in pricing.
- Disbursement includes positive pay "anti-fraud" features.



Thank you



Chris Longley – CEO

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