

DIVISION OF LABOR STANDARDS ENFORCEMENT
Department of Industrial Relations
State of California
ALEC L. SEGARICH, SBN 260189
455 Golden Gate Avenue, 9th Floor
San Francisco CA 94102
Tel: (415) 703-4863
dbalter@dir.ca.gov
asegarich@dir.ca.gov

ANEL FLORES, SBN 227518
320 W 4th St, Ste 600
Los Angeles CA 90013
Tel: (213) 897-1511
amflores@dir.ca.gov

Attorneys for the Plaintiff, Lilia García-Brower,
Labor Commissioner, State of California

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

LILIA GARCÍA-BROWER, in her official
capacity as Labor Commissioner for the State
of California,

Plaintiff,

v.

ALCO HARVESTING LLC d/b/a
BONIPAK PRODUCE, INC.;
BETTERAVIA FARMS LLC d/b/a
BONIPAK PRODUCE, INC.;
BETTERAVIA INVESTMENT LLC d/b/a
BONIPAK PRODUCE, INC.;
GRUBSTAKE INVESTMENTS LLC d/b/a
BONIPAK PRODUCE, INC.; BONITA
PACKING CO. d/b/a BONIPAK
PRODUCE, INC.; and DOES 1-20,
inclusive,

Defendants.

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Case No. 21CV02855
Consolidated with 21CV00299 and 21CV04639
Related Cases: 22CV02506, 23CV03669

Unlimited Jurisdiction

**DECLARATION OF ALEC SEGARICH IN
SUPPORT OF PLAINTIFFS' MOTION
FOR APPROVAL OF SETTLEMENT**

Date: December 3, 2025
Time: 8:30 am
Dept: 1/ Hon. Patricia L. Kelly
Complaint filed: 7/16/2021
Trial Date: None set

(No fee per Labor Code §§ 101, 101.5 and
Government Code § 6103)

1	JESUS GUZMAN,	Santa Barbara Sup. Ct. Case No. 21CV00299
2	Plaintiff,	Action filed: January 22, 2021
3	v.	Trial date: none set
4	ALCO HARVESTING, LLC, BETTERAVIA	
5	FARMS, LLC, BONIPAK PRODUCE, INC.;	
6	and DOES 1-20, Inclusive,	
7	Defendants.	
8	STATE OF CALIFORNIA ex rel. EDGAR	San Luis Obispo Sup. Ct. Case No. 21CV04639
9	CISNEROS, as Private Attorney General,	
10	Plaintiff(s),	Action filed: February 13, 2020
11	v.	Trial date: none set
12	ALCO HARVEST, INC., a corporation;	
13	RANCHO HARVEST, INC., a corporation;	
14	JESUS MANRIQUEZ, an individual; ALAIN	
15	PINCOT, an individual; ROBERT M.	
16	FERINI, an individual; MITCHELL D.	
17	ARDANTZ, an individual; CRAIG A.	
18	READ, an individual; and JEREMY M.	
19	MACKENZIE, an individual; and DOES 1-	
20	25, inclusive,	
21	Defendants.	

DECLARATION OF ALEC SEGARICH

I, Alec Segarich, declare:

1. I am an attorney at law, duly licensed to practice in all of the courts of the State of California. I am an attorney with the Department of Industrial Relations, Division of Labor Standards Enforcement, attorney of record for Plaintiff Lilia García-Brower, in her official capacity as Labor Commissioner for the State of California, in Case No. 21CV02855. I have personal knowledge of the following facts, and if called upon as a witness, I could and would testify competently thereto.

2. This declaration is submitted in support of Plaintiffs' Motion for Approval of Settlement. The following facts are within my personal knowledge and, if called as a witness herein, I can and will competently testify thereto.

3. The Labor Commissioner's complaint in this action alleges Alco and related corporate defendants failed to comply with paid sick leave and COVID-19 supplemental paid sick leave requirements, failed to pay minimum wage, failed to provide proper itemized statements, and did not pay waiting time penalties. On that basis, the complaint alleges six causes of action to recover damages and penalties on behalf of Alco's field workers.

4. With respect to violation of paid sick leave laws (as codified at Labor Code sections 245 to 249), the LCO primarily alleged that: 1) Alco failed to provide compliant written notices to employees regarding the amount of leave they had available to use; 2) did not provide for proper accrual of COVID-19 supplemental paid sick leave; 2) Alco's method of calculating employees' accrual of paid sick leave time did not comply with the law; and 3) that Alco did not conspicuously display information about employees' PSL rights.

5. In preparation for each of the three mediation sessions, my office and I reviewed the discovery obtained, and legal theories in our complaint, to calculate an estimated maximum amount of unpaid wages, damages, and penalties assuming we and the other plaintiffs prevailed on all our liability theories. Naturally, obtaining the maximum theoretical liability at trial is far from certain, but that calculation provided a baseline from which to determine the reasonableness of settlement of this action. A summary of the totals calculated is:

- **PSL and COVID-19 Supplemental PSL:** \$14,604,950 in liquidated damages;
- **Minimum Wage and Overtime:** \$9,071,001.14 in wages, liquidated damages, interest, and statutory penalties;
- **Reimbursements:** \$3,607,637.50 in reimbursements;
- **Waiting Time Penalties:** \$6,456,482.44 in statutory waiting time penalties;
- **Wage Statement Penalties:** \$4,511,950 in statutory wage statement penalties;
- **Civil Penalties:** \$44,474,000 across various claims.

6. Before initiating this action, I served administrative investigatory deposition subpoenas on Alco. Those subpoenas sought the testimony of persons most qualified regarding the legal theories and alleged violations at issue in the ensuing action. Alco produced its general manager and director of human resources to testify on its behalf.

7. The California Labor And Workforce Development Agency is a cabinet-level agency within the State of California overseeing departments, boards and panels that serve California workers and employers, including the LCO. (Gov. Code, § 12800.)

8. LWDA is tasked with the administration of PAGA. (Lab. Code, §§ 2699, 2699.3.) The Secretary of LWDA can require any subsidiary department, office, or unit to assist in enforcing any law within its jurisdiction. (Gov. Code, § 15560.) Pursuant to this authority, in fiscal year 2013-2014, LWDA delegated administration of PAGA to the Department of Industrial Relations (“DIR”). When a department of an agency is charged with enforcing any law that the agency has jurisdiction to administer, the duty and authority are “transferred to the department with the same effect as if the name of the department occurred in the law in each instance in lieu of the name of the State agency.” (Gov. Code, § 11160.) In turn, DIR delegated PAGA administration to the LCO in 2016. (Lab. Code, § 55 [DIR may delegate work within its jurisdiction to its divisions].) The LCO is entrusted with enforcing the wage-and-hour provisions of the Labor Code and other employment laws. (Lab. Code, §§ 82, 83, 95.) Thus, the LCO administers PAGA on behalf of LWDA for those statutes within its purview.

9. In particular, PAGA administration involves the review of proposed settlements of PAGA claims, to ensure they warrant approval, and if not, to challenge the approval of proposed

1 settlements that are, from the perspective of LWDA, improper. From approximately September 2022
2 to June 2025, I was a member of the PAGA Unit, which was created by LWDA and DIR, and am
3 thus familiar with its tasks, authority, and obligations, including the review of PAGA settlements.

4 10. The LCO does not seek recovery of attorneys' fees, and most of its litigation costs, as
5 part of the settlement of this action, although it would have, had it prevailed at trial. However, our
6 office is required by statute to recover court filing fees that were waived throughout the litigation.
7 (See, e.g., Lab. Code, § 101.5, Gov. Code, § 6103.5.) After reviewing my case file in this action,
8 LCO seeks to recover the following court fees that were waived:

Date	Description	Amount
7/16/2021	Complaint/First Paper	\$435.00
8/10/2021	Motion to Transfer and to Consolidate	\$60.00
11/30/2022	Stipulation re: Trial Date	\$20.00
4/20/2023	Respondent's Cost of Preparation of Clerk's Transcript	\$417.00
6/24/2024	Discovery Motion – Form Interrogatories	\$60.00
6/24/2024	Discovery Motion – Requests for Admission	\$60.00
6/24/2024	Discovery Motion – Requests for Production	\$60.00
	Total:	\$1,112.00

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

21 Date October 30, 2025



23
24 Alec Segarich