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Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF CONTRA COSTA**

AVIS DAVIS, individually, and on behalf of
other members of the general public similarly
situated,

Plaintiff,

v.

GROCERY DELIVERY E-SERVICES USA
INC. and INSPERITY PEO SERVICES, L.P.,

Defendants.

Case No.: C18-02253

Honorable Edward G. Weil
Department 39

CLASS ACTION

**DECLARATION OF AVIS DAVIS IN
SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

[Notice of Motion and Motion for
Preliminary Approval of Class Action
Settlement; Declaration of Proposed Class
Counsel (Edwin Aiwazian); and [Proposed]
Order filed concurrently herewith.]

Date: TBD
Time: TBD
Department: 39

Complaint Filed: November 6, 2018
Jury Trial: None Set

DECLARATION OF AVIS DAVIS

I, **Avis Davis**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Defendants Grocery Delivery E-Services US Inc. and Insperity PEO Services, L.P. (together, "Grocery Delivery") in an hourly-paid, non-exempt position from approximately May 2017 to September 2017. I decided to seek legal advice about my work experiences with Grocery Delivery and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Grocery Delivery paid me and other employees what was owed to us for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 7 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for 6 hours to discuss my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act ("PAGA") in general, and what it meant to be a named plaintiff, class representative, and, eventually, a PAGA representative.

3. I have spent over 16 hours meeting and communicating with my attorneys and fulfilling my responsibilities as a class representative in this case, which included gathering documents concerning my employment with Grocery Delivery, reviewing documents with my attorneys, answering their questions, and providing guidance regarding the work performed by other non-exempt employees at Grocery Delivery, and helping develop a strategy as to what documents and information to obtain from Grocery Delivery. I frequently checked in with my attorneys and their staff to make sure that they had my most current information and any additional information that I had obtained.

4. Throughout the case, I was available to answer any questions my attorneys had, and available to speak and meet with them whenever they needed me. I responded to my

1 attorneys as quickly as possible and gave them as much information and identified as many
2 documents as I could. I spent at least 11 additional hours speaking with my attorneys about the
3 case, identifying potential witnesses, providing my attorneys with documents and information
4 concerning the case, and also describing policies, practices, and procedures of Grocery Delivery.
5 During the discovery phase of the litigation, I spent approximately 9 additional hours reviewing
6 Grocery Delivery's deposition notice and discovery requests, locating documents, and providing
7 documents and responses to my attorneys.

8 5. As far as the settlement is concerned, I was available to review documents and
9 answer any questions my attorneys had. I spent about 3 hours reviewing the settlement
10 documents and about 2 hour asking questions and discussing the potential settlement with my
11 attorneys before signing the settlement papers.

12 6. I believe that I have done everything that my attorneys have asked of me and have
13 tried, to the best of my ability, to represent the class. I think my efforts helped to get the result
14 obtained in this case, and as a class and eventual PAGA representative, I respectfully request that
15 the Court award me an enhancement payment in the amount of \$7,500.00 for my active
16 participation in this case. Taking into consideration the time that I have dedicated to this case, I
17 believe that this amount is reasonable.

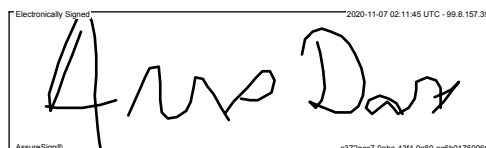
18 7. I am not related to anyone associated with Lawyers *for* Justice, PC.

19 8. I have not entered into any undisclosed agreements, nor have I received any
20 undisclosed compensation in this case. The only compensation I will receive is whatever amount
21 the Court awards as an enhancement payment, as well as my share of the settlement fund as a
22 class member.

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

25 Executed on November 06, 2020, at Antioch, California.

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An electronic signature box containing a handwritten signature that appears to read "Avis Davis". Above the signature, it says "Electronically Signed" and "2020-11-07 02:11:45 UTC - 99.8.157.38". Below the signature, it says "AssureSign" and "c172acc7-8aba-43b4-ae8d1760066".

Avis Davis