

DIVERSITY LAW GROUP, P.C.
Larry W. Lee (State Bar No. 228175)
lwlee@diversitylaw.com
Simon L. Yang (State Bar No. 260286)
sly@diversitylaw.com
515 South Figueroa Street, Suite 1250
Los Angeles, California 90071
Telephone: (213) 488-6555
Facsimile: (213) 488-6554

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

EBONY RUSSELL, as an individual and on
behalf of all others similarly situated, and as a
private attorney general,

Plaintiff,

vs.

LBS FINANCIAL CREDIT UNION, a California
corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. 21STCV02472

[Hon. Holly J. Fujie, Department 56]

**DECLARATION OF EBONY RUSSELL IN
SUPPORT OF PLAINTIFF'S MOTION FOR
APPROVAL OF PAGA SETTLEMENT**

Date: December 22, 2022
Time: 8:30 a.m.
Department: 23

Reservation ID: 346042629905

Complaint Filed: January 21, 2021

1 I, Ebony Russell, declare as follows:

2 1. I am an individual over the age of 18. I am the named plaintiff in the above-reference
3 action. I have personal knowledge of the facts set forth below, except as to those matters stated on
4 information and belief and, as to those matters, I believe them to be true. If called as a witness, I could
5 testify competently as to the matters stated in this declaration.

6 2. I began working for LBS Financial Credit Union in or about July of 2001. I worked as a
7 financial services representative until about July of 2020. I was paid on an hourly basis and earned non-
8 discretionary incentives, including Service Awards. I worked in excess of eight and twelve hours in a
9 day and in excess of 40 hours in a week. I also accrued and used paid sick leave. I am informed and
10 believe that I was underpaid sick pay wages, overtime wages, and double-time wages, since non-
11 discretionary incentive wages were not considered when calculating my regular rate of pay. I also am
12 informed and believe that I was not provided with accurate itemized wage statements.

13 3. I understand that this action is being prosecuted on behalf of the State of California and
14 that I am acting as a private attorney general. I have taken all necessary steps to represent the interests of
15 the State, including by providing information and documents to my counsel, discussing the claims and
16 lawsuit with my counsel, and answering any questions that have come up, including about how I was
17 paid or what my wage statements show or meant. Each month during the almost two years that the
18 litigations has been pending, I have spent a couple of hours on average to progress this lawsuit. I
19 understand that I am responsible to the State with respect to trying the case, appearing in court, and
20 working with my counsel. I remain willing to devote my time to this lawsuit for the benefit of the State.
21 I do not believe I have any interests that are adverse to the interests of the State. I also am unaware of
22 any such issues having been raised or presented by anyone else.

23 4. I believe many employees would not sue their employer out of fear. I took on risks by
24 bringing this lawsuit, and I understand that other people will benefit because of the actions that I have
25 taken. I feel that it is a positive accomplishment, am proud of the result, and believe that the settlement
26 is fair, adequate, and reasonable.

27 5. I am executing a general release of any and all claims, including any rights I have under
28 Civil Code section 1542. I understand similar releases are not required of other employees.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct. Executed this 29th day of November 2022, at Long Beach, California.

3 DocuSigned by:
4 
5 6EEA0F0074084D5...

Ebony Russell