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5 Attorneys for Plaintiffs, on behalf of themselves and
6 all others aggrieved

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **FOR THE COUNTY OF SAN DIEGO**

9 LUIS CRUZ, individually, and on behalf of all
others similarly situated; JAMES
10 CARAMAZZA, individually, and on behalf of
all others similarly situated; MICHAEL LEON,
11 individually, and on behalf of all others
similarly
12 situated

13 Plaintiffs,

14 v.

15 GREYSTAR MANAGEMENT SERVICES,
16 LP, a Delaware limited partnership;
GREYSTAR REAL ESTATE PARTNERS,
17 LLC, a Delaware limited liability company;
SUNRISE RIVERSIDE, LLC, a Delaware
18 limited liability company, BRADLEY
JOHNSON, an individual; and DOES 1
19 through 100, inclusive,

20 Defendants.

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

06/22/2022 at 05:12:00 PM

Clerk of the Superior Court
By Regina Chanez, Deputy Clerk

Case No. 37-2020-00009672-CU-OE-CTL

[Assigned to the Hon. Carolyn Caiette in Dept.
C-70]

**DECLARATION OF PLAINTIFF JAMES
CARAMAZZA IN SUPPORT OF
PLAINTIFFS' MOTION FOR
APPROVAL OF REPRESENTATIVE
ACTION SETTLEMENT**

DECLARATION OF JAMES CARAMAZZA

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2 1. I am a party to this action and reside in the State of California. I am fully competent
3 to make this declaration. I have personal knowledge of the facts set forth herein, except for those
4 stated on information and belief, and as to those I am informed and believe them to be true. If
5 called upon to testify, I could and would testify as set forth herein.

6 2. I make this Declaration in support of Plaintiffs' Motion for Approval of
7 Representative Action Settlement.

8 3. I was employed by defendants Greystar Management Services, LP, Greystar Real
9 Estate Partners, LLC, and Sunrise Riverside, LLC (collectively, "Defendants"), as a non-exempt,
10 hourly-paid employee with duties that included, but not limited to, picking up and taking out
11 garbage, cleaning swimming pools, and making repairs in apartment properties, within California
12 from approximately March of 2015 through approximately November of 2020.

13 4. Throughout my employment with Defendants, I am informed and believe that
14 myself and other non-exempt, hourly-paid employees of Defendants were not paid all wages owed
15 because we were not paid for all time under Defendant's control, or for which we were suffered
16 or permitted to work by Defendants. In addition, I am informed and believe we were not paid all
17 overtime hours worked at the overtime rate of pay owed due to, without limitation, failure to pay
18 for off-the-clock work.

19 5. During my employment with Defendants, I often took meal periods that were after
20 the fifth hour, short, or not duty-free. I witnessed other non-exempt, hourly-paid employees with
21 my job duties often taking meal periods that were after the fifth hour, short, or not duty-free, as
22 well.

23 6. I do not believe I was provided with opportunities to take full, uninterrupted 10-
24 minute rest periods while working with Defendants and am informed and believe my coworkers
25 were often not provided with such an opportunity, either.

26 7. I do not recall receiving any premium pay for the full rest breaks I was not provided
27 an opportunity to take and am informed and believe that my coworkers were not provided
28 premium pay for not being provided with the opportunity to take full, uninterrupted 10-minute

1 rest periods, either.

2 8. Before and during the course of litigation, I was actively involved in assisting my
3 attorneys to support the wage and hour claims asserted. My involvement began before the initial
4 complaint was filed wherein, I provided first-hand knowledge and documentation as to
5 Defendants' practices, their ownership and corporate structure, and their wage and hour policies
6 and practices.

7 9. Part of the information I relayed was with regard to Defendants' timekeeping policies
8 and practices and their meal and rest period policies and practices.

9 10. I provided them with all the documentation provided to me by Defendants during my
10 employment.

11 11. I assisted in reviewing time and payroll records with my attorneys and informed them
12 of Defendant's employment policies and whether those policies matched Defendants' practices.

13 12. My attorneys called me to ask me questions over several times throughout the
14 litigation and I contacted my attorneys several times to stay updated on the case and offer my
15 assistance on any matters I could be helpful with. I was also available for mediation by telephone,
16 during which I was available to be called to answer the questions posed by the mediator regarding
17 the asserted claims, as well as arguments raised by Defendants. In addition, I worked with my
18 attorneys over the next several months after mediation to understand and execute a long form
19 settlement agreement.

20 13. Over the past months since the mediation has been resolved, I have stayed in touch
21 with my attorneys to ensure that there was no undue delay in payment for other class members for
22 whom I brought this Action.

23 14. I believe that, through the present, I have spent at least 24 hours in connection with
24 this matter, which included time spent having preliminary calls with my attorney; doing an intake
25 with my attorneys; time spent searching for documents relating to my employment; time spent
26 reading and understanding the Settlement Agreement; time spent answering calls to discuss
27 Defendants' timekeeping, pay, meal and rest periods, and to review time and payroll records; time
28 spent discussing with my attorneys' Defendants' policies and practices; time spent on-call at

1 mediation; and time spent checking in on the status of the case, among other things. I also spent
2 time preparing this declaration to support Plaintiffs' Motion for Approval of Representative
3 Action Settlement.

4 15. I feel that by bringing this lawsuit, I could stand up for not only my rights but the
5 rights of other employees who suffered from the same unfair wage practices. I felt that current
6 employees might not want to share their experiences with Defendants since they feared losing
7 their jobs. This is certainly understandable as I, too, have to provide for myself and others.

8 16. By bringing this lawsuit, I have put the interests of the class ahead of my own.

9 17. I understood that I could possibly earn a small enhancement if this case resolved
10 favorably. I also knew that I could face retaliation from Defendants and backlash from former
11 coworkers who are loyal to Defendants. My understanding, in addition, is that if I brought this
12 case individually, I may have earned more compensation individually and on a much quicker
13 timeline than the timeline to resolve this Action.

14 18. My goal in bringing this lawsuit was to obtain a recovery on behalf of non-exempt,
15 hourly-paid employees of Defendants, and, even more importantly, to put an end to what I believe
16 are illegal practices on the part of Defendants. I believe I have achieved both through this lawsuit
17 and settlement.

18 19. I understand the obligations of adequately representing the non-exempt, hourly-
19 paid employees of Defendants.

20 20. I understand the substantial burden I will have to undertake in order to represent
21 the non-exempt, hourly-paid employees of Defendants.

22 21. I am aware of the attorney fee sharing agreement in this matter of 70% to Bibiyan
23 Law Group, P.C., 25% to Wilshire Law Firm, and 5% to Lavi and Ebrahimian, LLP. I approve
24 the amounts and allocations of this fee sharing agreement.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct this 17 Day of June 2022, at Lake Elsinore, California.


James Caramazza (Jun 17, 2022 17:02 PDT)

JAMES CARAMAZZA