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Attorneys for Plaintiff David Long

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

DAVID LONG, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

CAPITOL COMPLIANCE
MANAGEMENT, LLC, et al.,

Defendants.

Case No.: 34-2021-00301119-CU-OE-GDS

CLASS ACTION

**DECLARATION OF DAVID LONG IN
SUPPORT OF PLAINTIFF'S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: August 25, 2023

Time: 9:00 a.m.

Dept.: 28

DAVID LONG, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

CAPITOL COMPLIANCE
MANAGEMENT, LLC, et al.

Defendants.

RELATED CASE: 34-2021-00302928-CU-OE-GDS

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I, David Long, declare as follows:

1. I am an individual over the age of 18 years old and am a resident of California. I am the named Plaintiff in this matter. I have personal knowledge of the facts set forth below and I am competent to testify I could and would do so competently.

2. I worked for Defendants Capital Compliance Management, LLC; CC101, Inc.;
ative Medical Center, Inc.; Sharp Source; Doc's Inc.; Perchta, Inc.; and C9 Alliance, Inc.
er, "Defendants") as a delivery driver from about November 25, 2020, to about April 14,
was hired as a non-exempt, hourly employee and worked for Defendants' retail stores in
ento County.

3. During my employment with Defendants, I was regularly scheduled to work multiple marijuana dispensaries during the workday. For example, Defendants assigned work at one retail location for fewer than 8 hours, then transferred me to work at another location during the same workday for fewer than 8 hours. This scheduling practice resulted in me being unable to take off-duty meal and rest breaks. Even though I regularly worked enough hours to be eligible for meal and rest breaks, because my work hours were spread across multiple locations, Defendants counted each location as a separate employer, I was not provided with off-duty meal and rest breaks. Moreover, even when I worked 3.5 hours or more at a single dispensary, I was often unable to take a rest break due to understaffing. I was not paid premium pay for meal and rest breaks. This practice also resulted in me not being paid overtime wages for hours worked. In addition, I was not reimbursed for work-related expenses, such as mileage and phone expenses, during my employment.

4. I have yet to receive all wages owed to me.

5. Since I did not receive all wages owed during each pay period, the wage
 statements issued to me showed inaccurate rates of pay, regular and overtime hours worked, total
 hours worked, and net and gross wages earned.

6. During the pendency of this lawsuit, I was required to provide assistance to my
 7. _____, including meeting with them and providing them with documents and information. I

1 have continuously been kept apprised of the status of this case. Specifically, I have discussed the
2 allegations in the lawsuit, relevant documents, and policies with my attorneys. I have also
3 reviewed and approved the settlement documents and other pleadings in this case.

4 7. I estimate I have spent between 20-25 hours assisting my attorneys litigate this
5 case. I was asked to provide information regarding the relationship between the various entities
6 in order to assist my lawyers in demonstrating that they operated as a joint enterprise. I was also
7 asked to provide information regarding the routes I drove between locations and the way the
8 companies tracked my time. I reviewed documents that I had related to my employment to be
9 able to provide this information and looked back at my schedules to determine relevant
10 information. I also reviewed documents related to the lawsuit and the filing with the Labor and
11 Workforce Development Agency. I discussed these with my lawyers. I understand that these
12 actions were important to achieving the result achieved in this case.

13 8. I understand that the class claims alleged in this action were brought on behalf of
14 other similarly situated employees, and thus I am acting as a representative for the Class. As the
15 class representative, I understand that it is my responsibility to act in the Class's best interest and
16 not my own. I agree that I will not put my own interests ahead of that of the Class. Moreover, I
17 am not aware of any conflicts that exist between my interest and the interests of the Class that
18 would impair or affect my ability to serve as representative for the Class.

19 9. I have and continue to be willing to assist in the investigation of this matter as
20 well as make myself available for trial or any further proceeding in this matter as required to
21 represent the interests of the Class. I also understand my duties and responsibilities to the
22 proposed class and will carry out those duties as necessary.

23 10. Based on my understanding of the case, I am of the opinion that settlement for the
24 consideration and on the terms set forth in the Joint Stipulation of Class Action and PAGA
25 Settlement ("Settlement Agreement") are fair, reasonable, and adequate and is in the best
26 interests of the Class.

27 11. I understand that I could have been liable for Defendants' legal costs had
28 Defendants prevailed. I also understand that this lawsuit was filed in the public court records.

1 12. I also agreed to provide a general release of claims and waived the protections of
2 Civil Code § 1542. I understand that this was a more expansive release of claims than given by
3 the class members.

4 13. I am proud of the result achieved in this case and understand that the settlement
5 will benefit other employees of the companies who suffered similar violations of the Labor
6 Code.

7 14. I do not have any affiliation or conflict of interest with the designated cy pres
8 beneficiary, Legal Aid at Work.

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

11 Executed on this 2nd day of August __, 2023, at Sacramento, California.

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