

Larry W. Lee (State Bar No. 228175) Max W.
Gavron (State Bar No. 291697) **DIVERSITY**
LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile
lwlee@diversitylaw.com
mgavron@diversitylaw.com

Kelsey A. Webber (State Bar No. 303721)
Kelsey.Webber@WebberLawGroup.com
Shaelyn A. Stewart (State Bar No. 335149)
Shaelyn.Stewart@webberlawgroup.com
WEBBER LAW GROUP
1610 R Street, Suite 300
Sacramento, California 95811
Telephone: (916) 588-0683

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

Complaint Filed: May 20, 2021

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

Date: March 24, 2023

Time: 9:00 a.m.

Dept.: 28

Reservation No.: 2704731

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

Complaint Filed: June 21, 2021

DECLARATION OF DAVID LONG

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 if called to testify I could and would do so competently.

2. I worked for Defendants Capital Compliance Management, LLC; CC101, Inc.; Alternative Medical Center, Inc.; Sharp Source; Doc's Inc.; Perchta, Inc.; and C9 Alliance, Inc. (together, "Defendants") as a delivery driver from about November 25, 2020, to about April 14, 2021. I was hired as a non-exempt, hourly employee and worked for Defendants' retail stores in Sacramento County.

3. During my employment with Defendants, I was regularly scheduled to work across multiple marijuana dispensaries during the workday. For example, Defendants assigned me to 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 qualify for meal and rest breaks, because my work hours were spread across multiple locations and 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 missed meal and rest breaks. This practice also resulted in me not being paid overtime wages for all hours worked. In addition, I was not reimbursed for work-related expenses, such as mileage and cell 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. I understand that this action was brought on behalf of all other employees in the State of California, and that I am acting as a representative for the Class. As the Class

1 Representative, I understand that it is my responsibility to act in the best interests of the Class
2 and not my own. I agree that I will not put my own interests ahead of that of the Class, and that I
3 will not settle out my class claims in this lawsuit separately or independently from the Class.
4 Moreover, I am not aware of any conflicts that exist between my interests and the interests of the
5 Class that would impair or affect my ability to serve as representative for the Class.

6 7. I have and continue to be willing to assist in the investigation of this matter,
7 including meeting, conferring, and discussing the case with my attorneys, providing any
8 necessary information and documents, and making myself available for trial or any further
9 proceedings in this matter as required to represent the interests of the Class. I also understand my
10 duties and responsibilities to the proposed Class and will carry out those duties as necessary.

11 8. I have discussed the case with my attorneys on a number of occasions, provided
12 information and documents to my attorneys to help with the prosecution of the case, and
13 reviewed documents in the case, including the Joint Stipulation of Class Action and PAGA
14 Settlement ("Settlement Agreement").

15 9. I have discussed the terms of the Settlement Agreement with my attorneys, and
16 based on the information provided, I believe the settlement to be fair, adequate, and reasonable
17 for myself and for the entire Class.

18 10. I also executed a general waiver of any and all claims, including a waiver of
19 California Civil Code § 1542, which I understand was not required of other Class Members.

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

22 Executed on this 1st day of March 2023, at Sacramento, California.

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25 David Long
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