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

KANEISHA KINGSBURY, individually, and on
 behalf of all others similarly situated, and on
 behalf of the State of California and other
 aggrieved persons,

Plaintiff,

v.

CARAVAN FOODS II, INC., a corporation; and
 DOES 1 through 10, inclusive,

Defendants.

Case No. RG21096357

CLASS ACTION

[Assigned to: Hon. Brad Seligman, Dept. 23]

**DECLARATION OF KANEISHA
 KINGSBURY IN SUPPORT OF
 PLAINTIFF'S MOTION FOR FINAL
 APPROVAL OF CLASS ACTION
 SETTLEMENT**

FINAL APPROVAL HEARING

Date: January 31, 2023

Time: 3:00 p.m.

Dept: 23

RESERVATION ID: A-21096357-001

DECLARATION OF KANEISHA KINGSBURY

I, Kaneisha Kingsbury, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents. I submit this declaration in support of my motion for final approval of class action settlement.

2. Because I believe I have provided invaluable assistance during the course of this case, I am hopeful that the Court will approve my request of a \$10,000 service payment for serving as the Class Representative.

3. I am a former employee of CARAVAN FOODS II, INC. ("Caravan Foods"). I worked at Caravan Foods from approximately October 2016 to approximately October 2020 as a machine operator. Caravan Foods paid me an hourly wage and classified me as eligible for overtime pay. Throughout the entirety of my employment, I was subject to Caravan Foods' policies and practices that have been alleged as unlawful in the Class Action Complaint ("Complaint") and Private Attorneys General Action ("PAGA") Notice sent to Caravan Foods and the California Labor & Workforce Development Agency.

4. I filed this lawsuit because I was concerned that I was not paid properly for all hours, not provided all of my meal and rest breaks, and not provided reimbursements for all necessary business-related expenses I incurred. By originating this lawsuit as a Class Representative, I hoped that I might be able to change Caravan Foods' policies to better protect the working conditions of my co-workers. I also understood it was my duty as a Class Representative to represent the best interests of the class, know about the lawsuit, help my attorneys, and keep updated on the case.

5. I have actively participated in the litigation of this action. Prior to commencing this case, I provided Wilshire Law Firm and my attorneys a detailed account of the facts related to my employment with Caravan Foods, including, but not limited to, Caravan Foods's policy and practice of not providing its employees with California compliant meal and rest periods and

1 requiring its employees to work “off-the-clock” during meal periods and after clocking out for the
2 workday. Additionally, I provided my counsel with documentation in support of the claims
3 brought against Caravan Foods. These documents, along with the anecdotes I shared regarding
4 my employment, assisted my attorneys in understanding the policies and practices at Caravan
5 Foods. I also regularly communicated with my attorneys and staff members of Wilshire Law Firm
6 via telephone and text messages.

7 6. My attorneys explained to me the risks and benefits of bringing forward a class
8 action matter. I understood the risks, both professionally and financially, associated with pursuing
9 a class action case and acting as the Class Representative. I further understood that pursuing the
10 case as a class action rather than individually meant that it would likely take longer to receive any
11 recovery as a result of the multi-step approval process that the courts require. I was made aware
12 that there was a possibility that I could receive nothing at the end, but I believed that it was
13 important to still file the case to help ensure that Caravan Foods followed the law with respect to
14 all of its hourly-paid and non-exempt employees. Additionally, I understood that it was my
15 responsibility to act in the best interests of the Class and not just myself. In that respect, I
16 understood my duties and responsibilities to the proposed Class and carried out and will continue
17 to carry out those duties as necessary.

18 7. Throughout the course of the litigation, I maintained constant communication with
19 my attorneys and discussed pertinent matters relevant to the lawsuit, which included nearly 20
20 phone calls and many more text communications. I asked questions when I wanted to know what
21 was being done on the case. I always understood that a recovery would not only benefit me but
22 would benefit my fellow co-workers as well. At all times, I made myself available to answer any
23 questions that my attorneys had about my employment.

24 8. This was especially true leading up to and during the mediation that took place on
25 June 7, 2022. In preparation for the mediation, I had extensive conversations with my attorneys
26 regarding the issues that we were going to address during the mediation and negotiation process.
27 During the mediation session, I was available to speak with my attorneys, answer any questions
28 that arose, and provide any additional documentation that was necessary to assist the settlement

1 discussions.

2 9. I also reviewed the Settlement and amendment to the Settlement in full, and I
3 discussed the terms with my attorneys. My attorneys answered all the questions I had regarding
4 the settlement documents. I believe the settlement terms and allocations are fair and reasonable
5 given the strengths of the claims and Caravan Food's defenses.

6 10. I estimate that I spent **at least 45 hours** searching for and collecting documents
7 related to my employment, speaking with my attorneys and their staff throughout the litigation,
8 helping my attorneys prepare for mediation, discussing the particulars and reasonableness of the
9 settlement, and reviewing/signing documents related to the settlement.

10 11. I did not make the decision to file a class action lightly. I was concerned by the
11 attention a publicly filed lawsuit, and especially a class action, would attract. My name would be
12 associated with a lawsuit that I filed against my former employer. I was aware that it is possible
13 to perform background checks of publicly filed documents on the Internet, sometimes with
14 nothing more than a simple Google search. I am mindful that prospective employers might find
15 out that I sued Caravan Foods, and this could hurt my employability. Nevertheless, I felt that
16 important rights were at stake that hurt everyone, and something ought to be done about it.

17 12. I also understand that there was financial risk in bringing this lawsuit. For
18 example, I knew that if I did not prevail in this lawsuit that I could potentially be responsible for
19 Caravan Foods' attorney costs and fees.

20 13. Standing up for myself and the rights of others was not an easy decision, and I am
21 relieved that this is coming to an end. However, I continue to fear that any potential future
22 employer may find out that I participated in this lawsuit and hold it against me. In a competitive
23 job market, this factor may weigh heavily against me.

24 14. I understand that the settlement agreement provides a service payment to me in the
25 amount of \$10,000. I believe this amount is fair compensation for my time and effort on this
26 case, for helping to prosecute this case, and the risks with respect to my future employment. In
27 addition, the settlement requires that I enter into a general release, which I understand is broader
28 than the release that will bind other class members. I am receiving no compensation additional to

1 that provided for in the settlement.

2 15. I respectfully request that the Court award me a \$10,000 service payment. Based
3 on my involvement in this case and the benefits provided to my former co-workers, I can say I
4 helped stand up for the other workers who may have been too afraid to say anything to management
5 because they did not want to risk losing their jobs or risk the stigma of suing an employer. I was
6 not afraid to take that risk because I strongly care about helping out my former co-workers.

7 I declare under penalty of perjury, under the laws of the State of California and the United
8 States of America, that the foregoing is true and correct.

9 Executed on 1/5/2023 at Union City, California.

10 DocuSigned by:

11 

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Kaneisha Kingsbury

Kingsbury v. Caravan Foods II, Inc., et al.
RG21096357

I, Ashley Narinyans, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is anarinyans@wilshirelawfirm.com.

On January 6, 2023, I served the foregoing **DECLARATION OF KANEISHA KINGSBURY IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

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Attorneys for Defendants

- (X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.
- (X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

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

Executed on **January 6, 2023**, at Los Angeles, California.

Ashley Narinyans
Type or Print Name


Signature