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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

COORDINATION PROCEEDING
SPECIAL TITLE [RULE 3.550]

Judicial Council Coordination Proceeding No.:
CJC-22-005249

SUPER DUPER BURGERS WAGE AND
HOUR CASES

Honorable Ethan P. Schulman
Department 304

CLASS ACTION

Included actions:

Martinez v. Back of the House, Inc., et al.,
No. RG21113642 (Alameda County Super. Ct.)

Martinez v. Back of the House, Inc., et al.,
No. CGC-21-594380 (San Francisco County
Super. Ct.)

Lopez v. Back of the House, Inc., et al.,
No. CGC-19-579624 (San Francisco County
Super. Ct.)

**DECLARATION OF ERICKSON
MARTINEZ IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

[Notice of Motion and Motion for
Preliminary Approval of Class Action
Settlement; Declaration of Proposed Class
Counsel (Vartan Madoyan); and [Proposed]
Order filed concurrently herewith]

Date: July 1, 2024
Time: 9:00 a.m.
Department: 304

DECLARATION OF ERICKSON MARTINEZ

I, **Erickson Martinez**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am a named plaintiff in the cases entitled *Erickson Martinez v. Back of the House, Inc., et al.*, San Francisco Superior Court, Case No. CGC-21-594380, and *Erickson Martinez v. Back of the House, Inc., et al.*, Alameda Superior Court, Case No. RG21113642, which were coordinated into the Super Duper Burger Wage and Hour Cases, San Francisco Superior Court, Case No. CJC-22-005249. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Defendants in an hourly-paid, non-exempt position. I decided to seek legal advice about my work experiences with Defendants. I contacted Lawyers for Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Defendants were accountable for not paying employees for all hours worked and non providing compliant meal and rest breaks. I investigated wage-and-hour lawsuits and did some research into the class action and employment law firms in California for approximately **5 hours**. I consulted with the attorneys at Lawyers for Justice, PC for **9 hours** discussing my situation, wage-and-hour class actions in general, and what it meant to be a named plaintiff and class representative.

3. I have spent over **17 hours** meeting with my attorneys regarding the matter and fulfilling my responsibilities as a named plaintiff and class representative, which included gathering documents concerning my employment with Defendants, reviewing documents with my attorneys and answering their questions, providing information regarding the duties of hourly and non-exempt employees, preparing for my deposition, and helping develop a strategy as to what documents and information to obtain from Defendants. I checked in with my attorneys and their staff to make sure that they had my most current information and any additional information that I had obtained.

4. As the matter progressed, I was available to answer any questions my attorneys had, and available to speak and meet with my attorneys whenever they needed me. I responded

1 to them as quickly as possible and gave them as much information and identified as many
2 documents as I could. I spent at least **8 additional hours** speaking with my attorneys about the
3 case, identifying potential witnesses, providing my attorneys with documents and information
4 concerning the case, and also describing policies, practices, and procedures of Defendants.

5 5. As far as the settlement is concerned, I was available to review documents and
6 answer any questions my attorneys had. I spent about **3 hours** reviewing the settlement
7 agreement and discussing the potential settlement with my attorneys before signing the
8 settlement agreement.

9 6. I believe that I have done everything that my attorneys have asked of me and have
10 tried, to the best of my ability, to represent the class. I think my efforts helped to get the result
11 obtained in this case, and as a class representative, I respectfully request that the Court award me
12 a service payment in the amount of \$10,000.00 for my active participation in this case. Taking
13 into consideration the time that I have dedicated to this case, I believe that this amount is
14 reasonable.

15 7. I am not related to anyone associated with Lawyers *for* Justice, PC.

16 8. I have not entered into any undisclosed agreements, nor have I received any
17 undisclosed compensation in this case. The only compensation I will receive is whatever amount
18 the Court awards as a service payment, as well as my share of the settlement as a class member.

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

04/04/2024

21 Executed this ____ day of _____ 2024, at San Francisco, California.

22  2024-04-04 20:57:03 UTC - 152.89.204.175
23 Electronically Signed Nintex AssureSign® 00af2d7d-0430-4b01-bbd6-b1480154286a

Erickson Martinez