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Attorneys for Plaintiff Gabriela Chavez, on behalf of herself
and other similarly-situated employees

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MONTEREY

GABRIELA CHAVEZ, on behalf of herself
and other similarly-situated employees

Plaintiff,

v.

SCHEID VINEYARDS INC., a Delaware
Corporation; and DOES 1 Through 10,
inclusive,

Defendants.

Case No. 21CV002126

CLASS ACTION (COMPLEX)

**DECLARATION OF GABRIELA CHAVEZ
IN SUPPORT OF MOTION FOR AN ORDER
GRANTING PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

Date: December 16, 2022

Time: 8:30 a.m.

Dept: 14

Judge: Hon. Carrie M. Panetta

Complaint filed: July 2, 2021

Trial date: Not set

1 I, Gabriela Chavez, declare as follows:

2 1. I am over 18 years of age and am the named plaintiff and class representative in
3 this lawsuit. I am thoroughly familiar with and have personal knowledge of the facts in this
4 declaration. I submit this declaration in support of the Motion for Preliminary Approval of Class
5 Action Settlement in my case. If called as a witness, I would competently testify to the below
6 facts based on my personal knowledge.

7 2. From approximately August 2015 through February 2020, I was employed by
8 Scheid as a field worker, primarily picking grapes, in Monterey, California. I sometimes worked
9 more than eight hours per day or forty per week in the same pay period in which I earned shift
10 differential pay or a bonus. I also was not provided proper rest periods because my first two rest
11 periods were paid separately and were not counted toward my time worked to determine when I
12 should get a third rest period. I was also not provided proper meal periods, including because I
13 was expected to walk to and from a break area to take my meal periods within 30 minutes
14 causing meal periods to be short.

15 3. After my employment ended with Scheid, I looked for an employment lawyer to
16 understand my rights and the rights of my Scheid coworkers. I hoped to correct some of the
17 payment practices at that time. I spoke with Mr. Majarian and decided to move forward with
18 this class action lawsuit with Mr. Majarian and Cohelan Khoury & Singer.

19 4. Since my involvement, I have spoken at length with my attorneys and staff about
20 my experience working with Scheid, provided documents and records in my possession, and
21 signed documents so that my attorneys could request additional employment and payroll
22 records.

23 5. My attorneys gathered all of the relevant information, explained what was going
24 on and explained their view of this case, and filed this lawsuit for me on July 2, 2021 and added
25 PAGA claims to the case on September 7, 2021.

26 6. I was informed that Scheid had the right to take my deposition, and that the
27 preparation and deposition itself could take multiple days. Although my deposition was not
28 taken, I feel I would have been adequately prepared and comfortable to give testimony on my

1 experiences.

2 7. We had multiple telephone calls about the case from the beginning all the way
3 through to this settlement request.

4 8. I enjoyed working with my legal counsel and am satisfied that we were able to
5 come to a resolution so that a settlement will be paid out to my former coworkers at Scheid.

6 9. When I decided to initiate this lawsuit, I was aware that I would be the named
7 Plaintiff and that this action is public record. I understood that the lawsuit could continue for
8 several years and would require my participation, attention, and determination the entire
9 time. I was made aware that I could become responsible for some or all of my former
10 employer's legal costs if the case did not conclude successfully. Despite these risks, I
11 decided to serve as a class representative because it was the right thing to do and I wanted to
12 help be part of the solution.

13 10. I spoke with my attorneys and staff and provided questions to be asked of Scheid
14 for documents and information related to this case. I made myself available during the
15 mediation, and throughout this lawsuit, and I regularly contacted my lawyers for updates and
16 answered all of their questions.

17 11. To prepare for mediation, I discussed the case in detail with my attorneys and
18 staff, including its potential strengths and weaknesses. I believe that my thorough knowledge of
19 Scheid's practices assisted them in evaluating the claims and assessing the potential damages
20 for use at mediation. I believe that my efforts helped obtain the results in this case.

21 12. After the case settled, I reviewed and signed the Settlement Agreement, which
22 included me giving a general release of all the claims I had and might have against Scheid
23 arising from my employment.

24 13. I understand that I may be entitled to an additional payment for acting as a class
25 representative, and that this payment is subject to Court approval. Considering the time I
26 devoted to this case, the concerns I addressed above, the risks, and the results achieved through
27 the settlement, I believe the requested award of \$7,500 is reasonable.

28 14. It is hard to determine exactly how much time I spent on this case. Some weeks

1 required much more time than others (particularly during my pre-involvement investigation, and
2 the lead up to the mediation), but I estimate I spent a significant number of hours working on
3 my case and helping my lawyers, and even more time thinking about the issues in the case and
4 the possible outcome.

5 15. I believe I can adequately represent the class of employees and do not believe I
6 have any conflict with any of the employees in the class.

7 I declare under the penalty of perjury under the laws of the State of California the
8 foregoing is true and correct and this declaration is executed 10/31/2022, in Greenfield
9 California.

DocuSigned by:

*Gabriela Chavez*F57BA3FAF2D44CA...
Gabriela Chavez

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