

COHELAN KHOURY & SINGER

Isam C. Khoury (SBN 58759)

ikhoury@ckslaw.com

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Jeff Geraci (SBN 151519)

jgeraci@ckslaw.com

Rosemary C. Khoury (SBN 331307)

rkhoury@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Tel: (619) 595-3001/Fax: (619) 595-3000

LAW OFFICE OF SAHAG MAJARIAN II

Sahag Majarian (SBN 146621)

sahagii@aol.com

Garen Majarian (SBN 334104)

garen@majarianlawgroup.com

18250 Ventura Blvd.

Tarzana, CA 91356

Tel: (818) 609-0807/Fax: (818) 609-0892

Attorneys for Rebecca De Benning, on behalf of herself
and all others similarly situated

SUPERIOR COURT OF CALIFORNIA**COUNTY OF SACRAMENTO**

REBECCA DE BENNING, on behalf of
herself and all others similarly situated,

Plaintiff,

v.

COSTCO WHOLESALE CORPORATION,
a Washington Corporation; and Does 1
Through 10, Inclusive,

Defendants.

Case No. 34-2021-00309030

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Christopher E. Krueger
Department 54

CLASS ACTION**DECLARATION OF PLAINTIFF
REBECCA DE BENNING****Hearing Set By Court (10/31/2022 Order)**

Date: February 10, 2023

Time: 9:00 a.m.

Dept: 25

Judge: Honorable Jill H. Talley

Complaint filed: September 30, 2021

Trial date: Not set

1 I, Rebecca De Benning, declare as follows:

2 1. I am over eighteen years of age. If called as a witness, I could testify to the facts
3 below based on personal knowledge.

4 2. I was employed by Costco as a cashier in its Folsom facility from June 2013 to
5 March 2021, when I went out on disability. While I was on disability I contacted lawyers and
6 asked about certain policies I believed might be improper that effected Costco employees. After
7 speaking with attorneys, I retained the Law Office of Sahag Majarian II, and Cohelan Khoury &
8 Singer, to pursue this case.

9 3. I discussed claims with my attorneys that could be made on behalf of other Costco
10 employees like me and claims that could possibly be brought only on my behalf. After several
11 conversations, and some research on the internet, I decided to pursue claims on behalf of a class
12 of employees, not for myself.

13 4. I understood a lot of work would be required of me and I was willing to, and did,
14 do the work to keep the case moving forward. I had many calls and exchanged many emails with
15 my attorneys, asking questions about the progress of the case and the meaning of the
16 developments, and responding to all questions they had about my employment.

17 5. I understood that by agreeing to represent a class, and not pursue individual claims,
18 it would likely take much longer to resolve the case, I would not personally receive as much
19 compensation, and I would have to put my name on a publicly filed lawsuit, without any chance
20 for a quick or private settlement.

21 6. I also understood anyone with a computer and access to the internet, or even a
22 smartphone, could google my name and find I had filed a class action against my employer. I
23 understood I was taking a risk that anyone, particularly a prospective employer, would see this
24 and might not consider me, interview me, or hire me, for a job.

25 7. I also understood that if we lost the case, Costco could seek a judgment against me
26 personally for costs incurred in defending the lawsuit. I was taking a risk that a judgment, even if
27 uncollected, could show up on my credit report, damage my credit, and possibly prevent me from
28 receiving credit, or favorable credit terms.

1 8. Despite all these personal risks, I decided I would rather pursue a lawsuit that had
2 the potential to provide compensation for more Costco employees than just myself, and the
3 possibility Costco might review and revise its policies, and would insure all employees were
4 treated fairly under the law in the future.

5 9. Before hiring my attorneys, I gathered documents related to my work at Costco.
6 After hiring them, I gathered many more to provide them, including pay statements, performance
7 reviews, and company policies. I also signed document authorizations so my attorneys could
8 request additional employment records from Costco.

9 10. I worked with my attorneys, and staff members, to provide factual information
10 used to file a claim with the State of California, which I understood was required before filing
11 certain claims in court. I reviewed the claim before filing.

12 11. After filing the State claim, I continued to respond to requests for information from
13 my attorneys as they drafted the lawsuit and I reviewed the lawsuit before it was filed.

14 12. To prepare for mediation, I discussed the case in detail with my attorneys,
15 including its potential strengths and weaknesses. I believe my thorough knowledge of Costco's
16 practices helped them to evaluate the claims and assess the potential damages for mediation.

17 13. I made myself available the day of mediation and spoke with my attorneys several
18 times that day. I believe my efforts helped obtain the results in this case.

19 14. Following mediation, I reviewed and asked questions about the terms of the
20 Memorandum of Understanding and, after discussions with my attorneys, signed it. I also
21 reviewed and signed the detailed "Class and PAGA Action Settlement Agreement."

22 15. Based on my involvement in the case and my understanding of the issues and the
23 risks, I believe the proposed settlement is a good result for the Class.

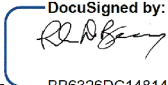
24 16. It is hard to determine exactly how much time I spent on this case over the past 16
25 months. For example, I spent a lot of time just reviewing the pros and cons of filing a class action,
26 with my attorneys and on my own, and considering whether I could bear the risks of this lawsuit.
27 I estimate I spent an average of 2 hours each month, or about 32 to 36 total hours. Some weeks
28 required much more time than others, particularly during the time before filing the lawsuit, and

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1 the time leading up to mediation. I can say that all the time I spent on the case was time I could
2 not spend with family or friends or on other personal activities.

3 17. I understand I am eligible for a payment for agreeing to, and serving as, a class
4 representative, and that this is subject to Court approval. I believe many things support a service
5 payment, including the work I did researching my claims and class actions, finding experienced
6 attorneys to file the lawsuit, and assisting at every step, including mediation preparation,
7 mediation, and settlement. Maybe even more important than the time I took are the risks I took.
8 Having a judgment of any size taken against me would be damaging to me, and even if Costco
9 did not aggressively pursue collection, or try to collect at all, it would appear on my credit and
10 have a bad financial effect on me. Finally, knowing that others can easily see I filed a class action
11 against an employer, and the possibility of losing employment opportunities in the future because
12 of that, is a real and substantial risk. For all these reasons, I believe the requested award of \$10,000
13 is reasonable.

14 I declare under the penalty of perjury under the laws of the State of California,
15 the foregoing is true and correct and this declaration is executed on January 18, 2023 in
16 Rancho Cordova, California.

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19 Rebecca De Benning
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