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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

GENNINE MERRITT, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

DMA CLAIMS, INC., a California
Corporation; DMA CLAIMS
MANAGEMENT, INC., an Illinois
Corporation; VENBROOK GROUP, LLC,
a Delaware Limited Liability Company;
VENBROOK INSURANCE SERVICES,
LLC, a California Limited Liability
Company; and DOES 1 through 20,
inclusive;

Defendants.

Case No.: 21STCV31200
*[Assigned to Hon. Judge Stuart M. Rice, Dept 1,
for all purposes]*

**DECLARATION OF PLAINTIFF
GENNINE MERRITT IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Complaint filed: August 24, 2021

1 I, Gennine Merritt, state and declare:

2 1. I am the Plaintiff in the above captioned action and have personal knowledge of
3 all matters stated herein and could competently testify thereto. I make this declaration in support
4 of the motion for preliminary approval of the class action settlement. I believe that the settlement
5 is fair and reasonable and constitutes a fair resolution of the claims alleged.

6 2. When I first retained my attorneys (Bokhour Law Group, P.C., and Lauby,
7 Mankin & Lauby), I chose to pursue this case on a class action basis rather than as an individual
8 claim. In that regard, I understood that I had specific burdens as the "Class Representative,"
9 which included: (a) representing the interests of all class members, (2) considering the interests
10 of all class members above my own personal interests, (3) participating actively in the lawsuit,
11 including potential testimony at deposition and trial, and keeping generally aware of the status
12 and progress of the lawsuit. Moreover, I understood that any resolution of the lawsuit is subject
13 to court approval and must be designed in the best interests of the class as a whole. And I also
14 understood that the two firms representing me are going to split any attorneys' fees 50/50.

15 3. Since first initiating this action on behalf of the proposed class, I believe that I
16 have more than adequately performed my duties as a class representative. I have been an active
17 participant in this litigation, including assisting my attorneys in various ways and making myself
18 available when needed. For example, I have assisted my attorneys by compiling and analyzing
19 substantial documentation regarding the unpaid wage and meal break claims. This included an
20 extensive search of emails and review and tabulation of data in excel. In sum, I provided my
21 attorneys with hundreds of pages of documents (and maybe over 1,000) detailing pay policies,
22 practices, and the method by which Defendants paid the Class for specific insurance clients (*i.e.*,
23 Geico, CSAA, USAA. Sentry Insurance, etc.). I also helped to explain and discuss the
24 company's practices and their general practices and procedures, locating and analyzing company
25 documents, among others. I have also reviewed all settlement documents and believe that this
26 settlement is fair for the class. Finally, I will continue to take all steps necessary to finalize this
27 settlement and obtain court approval.
28

4. I respectfully request that the Court preliminarily approve my service award, as I believe the amount is fair and reasonable given the work I performed, the substantial risks I faced, and numerous sacrifices I made to obtain this class action settlement. For example, filing this lawsuit and being a whistleblower was stressful on a day-to-day basis as I have constantly worried about the risk that this could impact my ability to find future jobs. After all, the industry is very tight-knit and I was worried that filing the case may get me labeled as a whistleblower, resulting in retaliation and difficulty finding work for the rest of my career.

5. Additionally, as a condition of this settlement, I was required to compromise on and waive my separate individual claims for retaliation and constructive discharge. Although I wanted to bring these individual claims, the proposed class action settlement required me to waive all my claims in order to benefit all of the other employees, and I ultimately agreed to release all of my claims to finalize this class action settlement. This waiver of all claims was a sacrifice I made to benefit the entire Class, and the release goes far beyond what any other class member gave up in this settlement.

6. At the final approval stage, I will submit an additional declaration describing all the work I have done on this case in more detail, including an estimated number of hours spent on such tasks. I do not include the estimate here because I anticipate spending substantial time working with my attorneys after preliminary approval, and I also believe I may receive calls from other Class Members (with whom I worked) asking about the settlement.

7. I have no conflicts with the proposed class members and will continue to assist with the litigation and prosecute the case on behalf of the other employees.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on November 10, 2022, at Campbell, California.

By: Gennine Merritt
Gennine Merritt (Nov 10, 2022 09:42 PST)