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Attorneys for Plaintiff and the Aggrieved Employees

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

AMY CETNAROWSKI, as an individual
and on behalf of all others similarly
situated,

Plaintiff,

vs.

MELON HOLDINGS, LLC, a Delaware
limited liability company; and DOES 1
through 50, inclusive,

Defendants.

Case No.: CVCV21-01007

[Assigned for all purposes to the Hon. Debra L.
Givens, Department 1]

**DECLARATION OF PLAINTIFF IN
SUPPORT OF PLAINTIFF'S MOTION TO
APPROVE THE PARTIES' SETTLEMENT
AGREEMENT PURSUANT TO THE LABOR
CODE PRIVATE ATTORNEYS GENERAL
ACT OF 2004**

Date: September 19, 2022
Time: 10:00 a.m.
Dept.: 4

1 I, Amy Cetnarowski, declare under penalty of perjury as follows:

2 I am an individual over the age of 18. I am the named Plaintiff in the above-referenced
3 action. I have personal knowledge of the facts set forth below and if called to testify I could and
4 would do so competently.

5 1. This declaration is submitted in support of Plaintiff's Motion to Approve the
6 Parties' Settlement Agreement Pursuant to the Private Attorneys General Act. I was employed by
7 Defendant Melon Holdings, LLC ("Defendant") as a cook and aid from about May 24, 2020 until
8 on or about October 24, 2020.

9 2. During my employment with Defendants, I was routinely denied off-duty meal and
10 rest breaks. Because of the staffing and other operational needs, I was not allowed to take off-
11 duty meal breaks of at least 30 minutes for each shift of 5 hours or longer and off-duty rest breaks
12 of at least 10 minutes for each 3.5 hours worked. In lieu of providing proper off-duty meal and
13 rest breaks, Defendants did not pay any meal and/or rest period premium compensation to me.
14 Additionally, I was regularly required to work off-the-clock and, as a result, incurred overtime
15 hours but was not properly compensated for all hours worked. Such off-the-clock work included
16 time spent in excess of eight hours in a day cleaning and preparing food. To date, I have not yet
17 received the underpaid and/or unpaid overtime wages and meal and rest premium compensation
18 owed. Moreover, given the underpayment and/or nonpayment of overtime wages and meal and
19 rest period premiums, the wage statements provided to me displayed inaccurate total hours
20 worked, overtime hours worked, and gross and net wages earned. Lastly, I was required to incur
21 expenses for work purposes but was not reimbursed by Defendants. For instance, Defendants
22 required me to use my personal cell phone to download various apps to access my work schedule
23 and track my hours. I was also required to use my own vehicle to drive to and from patient
24 appointments but was not reimbursed for mileage incurred.

25 3. I understood that this action was also being prosecuted on behalf of the State of
26 California as a private attorney general. During the pendency of this lawsuit, I was required to
27 provide assistance to my attorneys, including meeting with them and providing them with
28

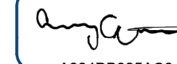
1 documents and information. I estimate that I spent at least 15 hours meeting and/or conferring
2 with my attorneys in connection with the assistance of the representative claims. Throughout this
3 case, I have continuously been kept apprised of the status of this case.

4 4. I believe that the settlement is fair, adequate and reasonable for employees and the
5 State of California. I am proud of the result and accomplishment of this lawsuit. I feel that it is a
6 positive accomplishment and understand that other people and the State of California will benefit
7 because of the actions that I have taken.

8 5. Additionally, I am executing a general release of any and all claims, including a
9 waiver of Civil Code § 1542, which was not required of aggrieved employees.

10 I declare under penalty of perjury that the foregoing is true and correct. Executed on
11 August 22, 2022, at Marysville, California.

DocuSigned by:



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Amy Cetnarowski