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

THOMAS BROWN and ANTHONY DOSS,
individually, on behalf of all others similarly
situated, and on behalf of the State of California
and other aggrieved persons,

Plaintiffs,

v.

FIDELITY SECURITY SERVICES, INC., a
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 21STCV31617

CLASS & REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Stuart M.
Rice, Dept. 1]*

**DECLARATION OF PLAINTIFF
THOMAS BROWN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

DECLARATION OF PLAINTIFF THOMAS BROWN

I, Thomas Brown, declare as follows:

1. All of the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true. If called as a witness in this action, I would testify truthfully to the matters described in this declaration.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a former employee of Fidelity Security Services, Inc. ("Defendant"). I worked for Defendant from approximately December 2019 to approximately December 2020 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to all of Defendant's policies and practices that have been alleged as unlawful in the First Amended Class & Representative Action Complaint and Private Attorneys General Act ("PAGA") Notice sent to Defendant and the Labor & Workforce Development Agency ("LWDA").

4. I initiated this lawsuit because I was concerned that I was not paid properly for all the hours that I worked, and I was not provided all of my meal and rest breaks.

5. By originating this lawsuit as a class representative, I hoped that I might be able to change Defendant's policies to better protect the working conditions of my co-workers. I also understood that it was my duty as a class representative to represent the best interests of the class, know about the lawsuit, assist my attorneys, and keep updated on the case.

6. I have invested a lot of personal time and energy into this lawsuit. As detailed more fully below, I have spent approximately 35 hours on this case. I made it a priority to be actively involved because I wanted to do everything I can to assist my attorneys in prosecuting this case.

7. Throughout this case, I spent a lot of time on the phone with my attorneys to get updates about the case and provide them with information. For example, during some of the phone calls, my attorneys and I were able to identify instances when I was not paid correctly.

1 Additionally, leading up to the mediation in July 2023, I had multiple lengthy phone calls with
2 Wilshire Law Firm regarding the claims at issue and what was to transpire at the mediation.

3 8. Throughout the case, I also spent time looking for documents relevant to the case to
4 send to my attorneys. I spent numerous hours looking for these documents, including when I first
5 contacted my attorneys, before my attorneys filed the case, and before my case was mediated. I
6 also spent time reviewing legal documents in this case, including the retainer and settlement
7 agreement and discussed, in detail, the terms with my attorneys.

8 9. Additionally, I made myself fully available on the day of mediation and was in
9 continuous contact with my attorneys to assist with any questions or issues that may have arisen.

10 10. I believe the settlement is a good settlement and I would recommend that the Court
11 approve it because I believe that this settlement is fair, adequate, and reasonable. I am glad that I
12 had the opportunity to represent the class in this lawsuit and that I was able to recover money
13 through a settlement for the class.

14 11. I did not make the decision to file a class action lightly. I was concerned by the
15 attention a publicly filed lawsuit, and especially a class action, would attract. My name would be
16 associated with a lawsuit that I filed against my former employer. I am mindful that prospective
17 employers might find out that I sued Defendant. Nevertheless, I felt that important rights were at
18 stake that hurt everyone, and something ought to be done about it.

19 12. I also understand that there was financial risk in bringing this lawsuit. For example,
20 I knew that if I did not prevail in this lawsuit that I could potentially be responsible for Defendant's
21 attorneys' fees and costs.

22 13. I understand that the settlement agreement provides a service payment to me in the
23 amount of \$10,000.00. I believe this amount is fair compensation for my time and effort on this
24 case, for helping to prosecute this case, and the risks with respect to my future employment. In
25 addition, the settlement requires that I enter into a general release, which I understand is broader
26 than the release that will bind other class members. I am receiving no compensation additional to
27 that provided for in the settlement.

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6 15. I reviewed (and ultimately signed) the Class Action and PAGA Settlement
7 Agreement in full and my attorneys answered all the questions I had. I believe the settlement terms
8 and allocations are fair, adequate, and reasonable given the strength of the class claims and
9 Defendant's defenses.

10 16. I have no conflicts of interest, actual or potential, with any class member, the
11 Settlement Administrator (Apex Class Action, LLC), or the proposed Cy Pres (Legal Aid at Work).

12 17. I am not aware of any other pending matter or action asserting claims that will be
13 extinguished or adversely affected by the Settlement.

14 18. I am aware of the fee splitting agreement between Wilshire Law Firm and
15 Messrelia Law Inc. where Wilshire Law Firm will receive 75% of the fees collected in this matter
16 and Messrelia Law Inc., will receive 25% of the fees collected in this matter. I have consented
17 to this fee split in a separate joint prosecution agreement between the law firms that I have signed.

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

20 Executed on 6/25/2024, at Mooresville, Indiana.

Thomas Brown

PROOF OF SERVICE

Brown, et al. v. Fidelity Security Services, Inc., et al.
21STCV31617

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Ashley Narinyans, am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to this action. My business address is 3055 Wilshire Blvd., 12th Fl., Los Angeles, California 90010. My electronic service address is ashley.narinyans@wilshirelawfirm.com.

On June 28, 2024, I served the foregoing **DECLARATION OF PLAINTIFF THOMAS BROWN IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Howard M. Knee (SBN 55048)
howard.knee@blankrome.com
Taylor C. Morosco (SBN 316401)
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BLANK ROME LLP
2029 Century Park East, 6th Floor
Los Angeles, California 90067
Telephone: (424) 239-3400
Facsimile: (424) 389-7048

Attorneys for Defendant

(X) **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service **CASEANYWHERE**.

Harout Messrelian (SBN 272020)
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MESSRELIAN LAW INC.
500 N. Central Ave., Suite 840
Glendale, California 91203
Telephone: (818) 484-6531
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Attorneys for Plaintiff Anthony Doss

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

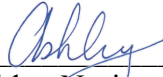
(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

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

3 Executed this **June 28, 2024**, at Los Angeles, California.

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5 _____
6 Ashley Narinyans
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