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

NAKITA CLARK, DAWN STEPHENSON,
individually, and on-behalf of other members
of the general public similarly situated and
on behalf of other aggrieved employees
pursuant to the California Private Attorneys
General Act;

Plaintiffs,

v.

WITTMAN ENTERPRISES, LLC, a
California limited liability company; and
DOES 1 through 100, inclusive.,

Defendants.

Case No.: 34-2019-00251989-CU-OE-GDS

Honorable Jill H. Talley
Department 25

CLASS ACTION

**DECLARATION OF NAKITA CLARK
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

[Notice of Motion and Motion for
Preliminary Approval of Class Action
Settlement; Declaration of Proposed Class
Counsel (Yasmin Hosseini); Declaration of
Proposed Class Representative (Dawn
Stephenson); and [Proposed] Order filed
concurrently herewith]

Date: November 15, 2022
Time: 1:30 p.m.
Department: 25

Complaint Filed: March 6, 2019
FAC Filed: March 29, 2019
SAC Filed: July 18, 2019
TAC Filed: February 4, 2022
Trial Date: None Set

DECLARATION OF NAKITA CLARK

I, **Nakita Clark**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the named plaintiffs in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Wittman Enterprises, LLC (“Wittman”) in an hourly-paid position from July 2015 to February 2017. I decided to seek legal advice about my work experiences with Wittman. I contacted Lawyers *for* Justice, PC and spoke with attorneys there, including Arby Aiwazian. I wanted to do whatever I could to make sure Wittman was held accountable for not paying its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 7 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for 7 hours discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act (“PAGA”) in general, and what it meant to be a named plaintiff, class representative, and eventually a PAGA representative.

3. I have spent over 12 hours meeting with my attorneys regarding the case and fulfilling my responsibilities as a named plaintiff and class and PAGA representative, which included gathering documents concerning my employment with Wittman, reviewing documents with my attorneys and answering their questions, providing information regarding the duties of hourly and non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Wittman. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained.

4. As the case progressed, I was available to answer any questions my attorneys had, and available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information and identified as many

documents as I could. I spent at least 9 additional hours speaking with my attorneys about the case, identifying potential witnesses, providing my attorneys with documents and information concerning the case, and also describing policies, practices, and procedures of Wittman. During the discovery phase of the litigation, I spent approximately 8 additional hours reviewing Wittman's discovery requests, locating documents, and providing documents, responses to my attorneys.

5. As far as the settlement is concerned, I was available to review documents and answer any questions my attorneys had. I spent about 3 hours reviewing the settlement agreement and about 4 hours asking questions and discussing the potential settlement with my attorneys before signing the settlement agreement.

6. I believe that I have done everything that my attorneys have asked of me and have tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees and the State of California. I think my efforts helped to get the result obtained in this case, and as a class and PAGA representative, I respectfully request that the Court award me an enhancement payment in the amount of \$7,500.00 for my active participation in this case. Taking into consideration the time that I have dedicated to this case, I believe that this amount is reasonable.

7. I am not related to anyone associated with Lawyers *for* Justice, PC.

8. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive is whatever amount the Court awards as an enhancement payment, as well as my share of the settlement as a class member and as an aggrieved employee.

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

08/22/2022
Executed this ____ day of August 2022, at Antioch, California.

Electronically Signed: 2022-08-22 21:18:04 UTC - 73.70.193.84
Nakita Clark
Hirox AssureSign® 779638d0-18b8-4b2d-abf5-aeff0120d888

Nakita Clark