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Attorneys for Plaintiff Rick Brower, on behalf of himself and all “aggrieved employees” pursuant to Labor Code § 2698 *et seq.*

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

RICK BROWER, on behalf of himself and
all “aggrieved employees” pursuant to
Labor Code § 2698 *et seq.*,

Plaintiff,

v.

AUTOMOTIVE ELITE INVESTMENTS,
INC., a California corporation, d/b/a
CHICO VOLKSWAGEN and CHICO
MAZDA and DOES 1 through 10,
inclusive,

Defendants.

Case No. 22CV00032

Assigned to the Hon. Stephen E. Benson, Dept. 6

**DECLARATION OF RICK BROWER IN
SUPPORT OF MOTION FOR AN ORDER
APPROVING SETTLEMENT OF CLAIMS
BROUGHT PURSUANT TO THE PRIVATE
ATTORNEYS GENERAL ACT OF 2004,
AWARDING ATTORNEYS’ FEES, COSTS,
ENHANCEMENT AWARD, AND
REIMBURSEMENT OF SETTLEMENT
ADMINISTRATION EXPENSES, AND
ENTERING JUDGMENT**

Date: August 31, 2022

Time: 9:00 a.m.

Dept.: 6

Complaint Filed: January 6, 2022

1 I, Rick Brower, hereby declare and state as follows:

2 1. I am a named Plaintiff in this lawsuit against Automotive Elite Investments, Inc.
3 d/b/a Chico Volkswagen and Chico Mazda ("Defendant"), and I submit this declaration in support
4 of Plaintiff's Motion for an Order Approving Settlement of Claims Brought Pursuant to the Private
5 Attorneys General Act of 2004, Awarding Attorneys' Fees, Costs, Enhancement Award, and
6 Reimbursement of Settlement Administration Expenses, and Entering Judgment. I am a
7 competent adult and was employed by Defendant as a non-exempt employee in California during
8 the relevant time period. I have personal knowledge of the facts set forth herein, and if called as
9 a witness to testify to them, I could and would do so competently.

10 2. I contacted my current attorneys when I questioned the employment practices of
11 Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a lead
12 representative on behalf of other employees of Defendant in this action whom I believed were
13 being subjected to labor law violations. Although presented with the opportunity, I did not pursue
14 any case on an individual basis, and instead chose to pursue this representative action, so that I
15 could help other employees recover for what I believed were Defendant's improper practices.

16 3. Specifically, I questioned Defendant's policies of failing to pay all minimum and
17 overtime wages due, failing to pay premium wages for missed and denied meal and rest periods,
18 failing to reimburse for all business-related expenses, failing to issue properly itemized wage
19 statements, and failing to timely pay wages upon the separation of employment. Through many
20 discussions with my lawyers, and through my own research on the Internet, I learned these may
21 be illegal practices and Defendant's employees might have recourse for them.

22 4. By bringing this lawsuit, and throughout its course, I have put the interests of other
23 employees ahead of my own. My goal in bringing this lawsuit was to obtain a recovery on behalf
24 of all employees who were subjected to the same practices by Defendant, and even more
25 importantly, to put an end to what I believed were illegal practices on the part of Defendant. I
26 believe I have achieved both through this lawsuit and settlement.

1 5. I am very happy about the results of this litigation. I am satisfied that Defendant is
2 compensating employees for penalties that I believe we are due.

3 6. At the onset of this case, I spent time through numerous phone calls with several of
4 my attorneys explaining what I understood to be Defendant's policies and practices and how they
5 were applied to other employees. I kept actively involved with the status of this case throughout
6 the litigation process, tracking the status of the case and participating as much as possible.

7 7. While I have not maintained detailed time records of my activities in connection
8 with this litigation, I believe that have spent a total of approximately 12-17 hours assisting my
9 attorneys with the preparation of this case and doing work and investigation of the facts
10 independent from my attorneys both before and during this case.

11 8. Before this litigation commenced, and throughout its course, I spent approximately
12 5.5 hours gathering, organizing, and reviewing documents and information for this lawsuit. I sifted
13 through many of my own documents and reviewed information produced by Defendant as part of
14 this litigation.

15 9. I communicated with my attorneys several times per month to track my case's status.
16 I have taken an active involvement in this matter throughout its course.

17 10. Taking the initiative with this case was very risky for me, both professionally and
18 financially. I put principal first and took a tremendous risk by filing this lawsuit. I am quite
19 confident that pursuing this lawsuit will result in future reputational harm to me. There is a stigma
20 associated with suing one's former employer. I suspect I may be adversely affected when it comes
21 to obtaining future employment – employers who discover that I sued Defendant in a
22 representative action will likely avoid hiring me.

23 11. My interests in bringing this lawsuit – for Defendant to change its labor practices
24 going forward and to compensate current and former employees for the claims in this case – are
25 the same as those of all other employees similarly situated to me.

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27 \\

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

3 Executed on this ____ day of 07 / 27 / 2022, 2022 at Chico, California.

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6 RICK BROWER
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TITLE	Declaration to be signed
FILE NAME	Brower Decl.pdf
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