

Mehrdad Bokhour, Esq. (Cal. Bar No. 285256)
mehrdad@bokhourlaw.com
BOKHOUR LAW GROUP, P.C.
1901 Avenue of the Stars, Suite 450
Los Angeles, California 90067
Tel: (310) 975-1493 | Fax: (310) 675-0861

Brian J. Mankin, Esq. [CSB No. 216228]
brian@lmlfirm.com
Peter J. Carlson, Esq. [CSB No. 295611]
peter@lmlfirm.com
LAUBY, MANKIN & LAUBY, LLP
5198 Arlington Avenue, PMB 513
Riverside, CA 92504
Tel: (951) 320-1444 | Fax: (951) 320-1445

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 SOLANO**

MARIA SOLEDAD RANGEL
MERCADO, individually and on behalf of
all others similarly situated;

Plaintiff,

vs.

NORTH BAY DISTRIBUTION, INC., a
California Corporation; CHARTWELL
STAFFING SERVICES, INC., a New
York Corporation; and DOES 1 through
20, inclusive;

Defendants.

Case No.: FCS057328

*[Assigned to Hon. Tim P. Kam, Dept 4, for all
purposes]*

**DECLARATION OF MARIA SOLEDAD
RANGEL MERCADO IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

HEARING INFO

Date: October 14, 2024
Time: 9:00 a.m.
Dept.: Dept. 7

DECLARATION OF MARIA SOLEDAD RANGEL MERCADO

I, Maria Soledad Rangel Mercado, state and declare:

1. I am the Plaintiff in the above-captioned action and have personal knowledge of all matters stated herein, and could competently testify thereto. I make this declaration in support of the motion for final approval of the class action settlement.

2. I believe the settlement is fair and reasonable and constitutes a fair resolution of the alleged claims.

3. During my employment with Defendant, several issues concerned me, which I thought did not comply with California law, such as not being paid properly and not getting paid all wages and being provided proper meal periods and rest breaks. Even though I was unsure if I wanted to bring a lawsuit because of the risk of stepping forward as a whistle-blower (since this could jeopardize my livelihood in the industry and make it difficult to find future jobs), I retained my attorneys to proceed with this class action because I did not think that I or the other employees were being treated correctly.

4. When I first retained my attorneys and chose to pursue this case on a class action basis, I understood that I had specific burdens as the "Class Representative," which included: (a) representing the interests of all class members, (2) considering the interests of all class members above my own personal interests, (3) participating actively in the lawsuit, including potential testimony at deposition and trial, and keeping generally aware of the status and progress of the lawsuit. Moreover, I understood that any resolution of the lawsuit is subject to court approval and must be designed in the best interests of the class as a whole.

5. I respectfully request that the court approve the service award for the following reasons.

6. First, I have spent substantial time working on this case and have performed substantial services for the Class to help obtain a highly beneficial settlement for my fellow employees.

7. Nearly three years ago, on or about October 2021, I initiated a Class Action Complaint in the Superior Court of California, Solano County. This action represents my interests

1 and that of all other current and former non-exempt employees similarly situated. Subsequently,
2 the complaint was amended to include a cause of action under the Private Attorneys General Act
3 (“PAGA”) on behalf of myself, the State of California, and other similarly aggrieved employees.

4 8. Since initiating this action, I estimate that I have spent at least 35-40 hours
5 engaging in activities to benefit the class. I have assisted my attorneys in numerous ways,
6 including helping to explain and discuss the company’s practices and their general practices and
7 procedures, locating and analyzing company documents, and communicating with other class
8 members. These efforts occurred through numerous meetings with Class Counsel, telephone
9 conferences, letters, emails, and text communications. I also spent substantial time assisting with
10 the preparation for mediation.

11 9. My work also continued after mediation, as I reviewed settlement agreements and
12 other settlement documents and continued communication with Class Counsel and other class
13 members during the settlement approval processes.

14 10. Second, I respectfully request that the Court approve the agreed-upon service
15 award because I agreed to set aside my personal interests and put the class's interests ahead or on
16 par with my own. In doing so, and by successfully bringing this case as a class action, I helped to
17 obtain a highly beneficial settlement for the class members.

18 11. Third, as a condition of this class action settlement, I was required to release and
19 waive all possible individual claims against the company – something that none of the other class
20 members were required to give up.

21 12. Fourth, by bringing this case as a class action, I undertook significant risks and
22 stresses at a high emotional cost without any guarantee of success. For example, filing this lawsuit
23 and being a whistle-blower was stressful daily as I constantly worried about the risk that this case
24 could impact my ability to find future jobs. This stress/risk lasted for the entire case, and I’m
25 worried it may make it hard to find a job in the future since the case information is all available
26 online.

27 13. Fifth, bringing this case also came with a major financial risk because, if I lost the
28 case, I would be required to pay the company’s costs, which could be over \$10,000, and there was

a chance they could try to make me pay their attorneys' fees as well.

14. I affirm my unwavering dedication to representing the interests of the putative class and aggrieved employees. I voluntarily assumed considerable risks and expended considerable effort to secure a favorable outcome. I trust that the Court will duly consider my request for a Service Award in recognition of these contributions.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 9/10/2024, at Los angeles, California.

DocuSigned by:
Maria Rangel

Maria Soledad Rangel Mercado