

KINGSLEY & KINGSLEY, APC
 ERIC B. KINGSLEY, Esq. (SBN 185123)
 eric@kingsleykingsley.com
 LIANE KATZENSTEIN LY, Esq. (SBN 259230)
 liane@kingsleykingsley.com
 JESSICA BULAON, Esq. (SBN 340749)
 jessi@kingsleykingsley.com
 16133 Ventura Blvd., Suite 1200
 Encino, CA 91436
 Tel: (818) 990-8300, Fax (818) 990-2903

Attorneys for Plaintiff and the Proposed Classes

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

MIE MOULTON an individual, on behalf of
 herself and others similarly situated,

PLAINTIFF,

v.

BET INFORMATION SYSTEMS, INC.; and
 DOES 1 thru 50, inclusive,

DEFENDANTS.

CASE NO. 21STCV38602

[Case Assigned for All Purposes to the Hon.
 David S. Cunningham in Dept. 11]

**DECLARATION OF MIE MOULTON IN
 SUPPORT OF PLAINTIFF'S MOTION
 FOR PRELIMINARY APPROVAL OF
 CLASS ACTION SETTLEMENT**

Date: May 17, 2023

Time: 11:00 a.m.

Dept.: 11

Complaint Filed: October 20, 2021

FAC Filed: December 27, 2021

Trial Date: None Scheduled

DECLARATION OF MIE MOULTON

I, MIE MOULTON, state and declare as follows:

1. I am a competent adult, over the age of eighteen and the named Plaintiff in the matter of *MIE MOULTON, an individual, on behalf of herself and others similarly situated v. BET INFORMATION SYSTEMS, INC.*; and DOES 1 thru 50, inclusive, Los Angeles County Superior Court, Case No. 21STCV38602. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto. I am making this sworn declaration in support of my claims and the claim of my co-workers, and in support of my qualifications as named Plaintiff. If called as a witness, I could and would competently testify as to the truth of the matters set forth herein.

2. I performed work as a “detailer” for BET INFORMATION SYSTEMS, INC. (“Defendant” or “BET”) from approximately January 2020 to August 2020. During my employment with BET, I was initially paid as an Independent Contractor.

3. I was reclassified as an employee shortly after beginning my employment with BET.

4. I have spent significant time throughout this class action working with Class Counsel.

5. Before filing this action, in October 20, 2021, I researched and identified Counsel that I believed could best represent the interests of the Class Members.

6. I also assisted my attorneys with investigation and gathering of information including discussing my work experience and the experience of others that I had observed while working for BET and provided all relevant employment documents in my possession.

7. A Mediation session took place on June 13, 2022, and I actively participated in the discussions with the Class Counsel and shared my knowledge and insights to help the Class obtain a favorable settlement.

8. I put the members of the Classes’ interests ahead of my own interests at all times during this litigation.

9. I believe that I and other employees were misclassified by BET for a period of time.

10. Because of this misclassification issue, I believe BET failed to pay all wages and

1 overtime owed, including minimum wages, and failed to provide paid rest breaks, among other
2 issues.

3 11. Additionally, I believe that BET failed to reimburse employees, including myself,
4 for using a cell phone application called “Survey Merchandiser”.

5 12. Around early 2020, BET required me and other employees to become a “temporary
6 employee” in order to continue using this application to find available projects and fulfill
7 assignments.

8 13. Some of my responsibilities as a detailer while an employee and an independent
9 contractor, included entering inventory, pricing data, building displays, and stocking shelves,
10 which required the use of this application.

11 14. I am aware and understand that I have agreed to sign a broader release of the claims
12 than the release applicable to members of the proposed Classes in reaching the settlement.

13 15. This lawsuit has put a lot of stress on my family and me. I have had a lot of anxiety
14 in attending the mediations and communicating with attorneys. I have also had to take significant
15 time away from my day-to-day schedules to discuss the case with my attorneys for the benefit of
16 the Classes.

17 16. Throughout the entirety of this litigation, I have maintained regular contact with
18 Class Counsel and assisted in any way possible by providing information and making myself
19 available as needed.

20 17. I was aware that by helping to initiate this lawsuit, my name would become known
21 and it was possible that my involvement in this matter could make it more difficult for me to obtain
22 employment in this field. Regardless, I believed it was important to proceed with this matter on
23 my behalf and on behalf of all others who were subject to the same problems during their
24 employment with BET.

25 18. Based upon my participation in this case, I understand the merits of this settlement
26 and I strongly support the settlement and believe it is fair and reasonable, and in the best interest
27 of the Classes. I believe that a \$2,250,000.00 settlement is fair and reasonable, and this Settlement
28 will benefit members of the Classes.

1 19. It is my opinion that a fair and adequate Plaintiff enhancement payment for me as
2 a named Plaintiff is \$10,000.00. I believe that it is fair and reasonable in view of all the work I
3 have performed in my role as a named Plaintiff.

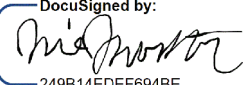
4 20. As named Plaintiff, I actively participated in all stages of the litigation as detailed
5 above and have always maintained the best interest of the Classes while performing my named
6 Plaintiff duties.

7 21. The attorney I initially spoke with and retained, Joshua Lee referred my case to
8 Kingsley & Kingsley, APC.

9 22. I am also aware that Kingsley & Kingsley and Joshua Lee entered into a fee sharing
10 agreement.

11 23. I signed that agreement on October 5, 2021. I understand that the attorneys agreed
12 to share the fees in this matter with 1/3 going to Joshua Lee and 2/3 going to Kingsley & Kingsley.

13
14 I declare under penalty of perjury under the laws of the State of California that the
15 foregoing is true and correct. Executed this 3rd day of March, 2023
16 at La Habra, California. (month)
17 (State)

18
19 DocuSigned by:
20 
21 249B14EDEF694BE...
22 MIE MOULTON
23 Declarant
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(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On April 24, 2023, I served all interested parties in this action the following documents described as: **DECLARATION OF MIE MOULTON IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

KLINEDINST PC

Thomas Daugherty

TDaugherty@Klinedinstlaw.com

Jessica S. Park

jpark@klinedinstlaw.com

501 West Broadway, Suite 600

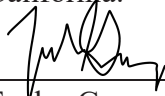
San Diego, CA 92101

[XX] (BY ELECTRONIC SERVICE) I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] BY ELECTRONIC MAIL TRANSMISSION: I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the below email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 24, 2023, at Los Angeles, California.



Taylor Gregg