

KINGSLEY & KINGSLEY, APC
ERIC B. KINGSLEY, Esq., Cal. Bar No. 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 Hon. David
S. Cunningham in Dept. 11]

**DECLARATION OF PLAINTIFF MIE
MOULTON IN SUPPORT OF FINAL
APPROVAL OF CLASS SETTLEMENT**

Date: December 7, 2023

Time: 10:00 AM

Dept.: 11

Complaint Filed: October 20, 2021
FAC Filed: December 27, 2021
Trial Date: None Set

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 above-captioned matter. The following is based upon my personal knowledge, and if called as a witness, I could and would testify competently thereto.

2. I am a former employee of Defendant BET INFORMATION SYSTEMS, INC. ("BET" or "Defendant"). Defendant classified me as an exempt employee for part of my employment, even though I should have been classified as a non-exempt employee the entire time.

3. I worked for BET from January 2020 to August 20, 2021 as a detailer.

4. I brought this lawsuit, on behalf of myself and all other Class Members, against Defendant because I believe that BET did not pay wages/overtime, did not provide meal and/or rest periods, did not reimburse necessary business expenses, did not provide accurate itemized wage statements, did not pay all wages due at the time of resignation/termination, did not properly classify employees, failed to pay timely wages, and required employees to agree to an independent contractor agreement that contains an illegal indemnity, to me and other employees.

5. I understand that I am representing other employees and I believe that I am able to represent them well.

6. I first researched experienced attorneys who are very experienced with these types of lawsuits. Once retained, I compiled relevant documents from my employment to assist my attorneys in litigating this case. I worked with my attorneys to develop the facts and legal claims in this lawsuit. The lawsuit was filed in October 2021.

7. Throughout the litigation, I have provided my attorneys with helpful information for this lawsuit and for the Settlement as needed. Additional work in connection with this matter includes providing information to my attorneys regarding my employment with Defendant, staying in regular contact with my attorneys to discuss the status of the case, responding promptly to my attorneys' various communications regarding this matter, attending a full-day mediation in June 2022; and reviewing and analyzing the settlement agreement and settlement papers to ensure the

1 settlement was fair and reasonable and in the best interests of the Class Members.

2 8. I have worked to actively represent the other Class Members and their interests.

3 9. I have always kept the Class Members interests at heart in this litigation.

4 10. I am prepared to continue assisting with this litigation and am committed to
5 achieving the best possible results for the Classes.

6 11. I believe that the class action settlement obtained on behalf of the Classes is fair
7 and reasonable in light of the issues involved in this case. As mentioned above, I reviewed and
8 discussed the Agreement with my attorneys and asked them questions about it to ensure that I
9 understood its terms and what it would mean for all of the class members.

10 12. I believe that I have fairly represented the absent Classes and request that the Court
11 finally approve this settlement and confirm me as Class Representative.

12 13. I am not aware of any conflicts of interest that prevent me from being confirmed as
13 Class Representative in this Lawsuit. I am not related in any way to my attorneys or to any other
14 member of the firm that is representing me. I have no business dealings or other involvement
15 beyond this lawsuit and this representation. I have not been promised any money or inducement
16 to serve as Class Representative in this Lawsuit.

17 14. It is my opinion that the settlement agreement provides for a fair and adequate
18 enhancement for me as a Class Representative, in the amount of \$10,000.00. I believe that this is
19 fair and reasonable in light of all of the work that I have performed in my role as Class
20 Representative. As Class Representative, I have actively participated in all stages of the litigation,
21 as detailed above, and have always maintained the best interests of the Classes while performing
22 my Class Representative duties.

23 15. It is also my opinion that the Class Representative enhancement is fair, reasonable,
24 and adequate because, in addition to the many hours spent participating in the prosecution of this
25 case, I accepted the potential risk of being liable for Defendant's attorneys' fees and costs if we
26 were unsuccessful in this Lawsuit. Likewise, I risk the potential stigma of being a Class
27 Representative in a class action labor dispute, which may affect my future employability.

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

Executed this 22nd day of August, 2023 at La Habra
California.

DocuSigned by:

249B14EDEF694BE...
MIE MOULTON

(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 November 13, 2023, I served all interested parties in this action the following documents described as: **DECLARATION OF PLAINTIFF MIE MOULTON IN SUPPORT OF FINAL APPROVAL OF CLASS 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

Attorneys for Defendant

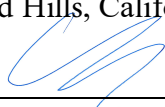
☐ **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **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.

☒ **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).

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

Executed on November 13, 2023, at Woodland Hills, California.



Michelle Tanzer