

1 Galen T. Shimoda (Cal. State Bar No. 226752)
 2 Justin P. Rodriguez (Cal. State Bar No. 278275)
 3 Renald Konini (Cal. State Bar No. 312080)
Shimoda & Rodriguez Law, PC
 4 9401 East Stockton Boulevard, Suite 120
 Elk Grove, CA 95624
 Telephone: (916) 525-0716
 Facsimile: (916) 760-3733

5 Attorneys for Plaintiffs ELIZABET SANCHEZ
 6 individually and on behalf of similarly situated employees

7 [additional parties continued on next page]

8 **SUPERIOR COURT OF CALIFORNIA**

9 **FOR THE COUNTY OF SAN JOAQUIN**

11 ELIZABET SANCHEZ and GRISELDA
 12 RAMIREZ, individually and on behalf of all
 13 other similarly situated employees,

14 Plaintiffs,

15 vs.

16 PACIFIC COAST PRODUCERS, a California
 17 Corporation; and DOES 1 to 100, inclusive,

18 Defendants.

Case No. STK-CV-UOE-2021-11106

*Assigned for All Purposes to Hon. Robert T.
 Waters, Department 11B*

CLASS ACTION

**DECLARATION OF ELIZABET SANCHEZ
 IN SUPPORT OF PLAINTIFFS' MOTION
 FOR PRELIMINARY APPROVAL OF
 CLASS ACTION AND PAGA SETTLEMENT**

19 Date: _____

20 Time: 9:00 a.m.

21 Dept.: 11B

Judge: Hon. Robert T. Waters

22 Filed: December 7, 2021

23 FAC Filed: February 14, 2022

SAC Filed: March 29, 2023

24 TAC Filed: September 19, 2023

25 Trial Date: None Set

1 Jose R. Garay (SBN: 200494)

2 jose@garaylaw.com

3 Jose Garay, APLC

4 249 E. Ocean Blvd. #814

5 Long Beach, CA 90802

6 Telephone: (949) 208-3400

7 Facsimile: (562) 590-8400

8 Daniel J. Hyun (State Bar No. 309184)

9 dh@danielhyunlaw.com

10 Law Office of Daniel J. Hyun

11 1100 West Town and Country Road, Suite 1250

12 Orange, California 92868

13 Telephone: (949) 590-4122

14 Facsimile: (949) 528-2596

15 Attorneys for Plaintiff GRISELDA RAMIREZ

16 individually and on behalf of similarly situated employees

1 I, Elizabet Sanchez, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this
3 declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in support
4 of Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement.

5 2. I worked for Defendant Pacific Coast Producers ("Defendant") from approximately
6 November 2020 to August 2021 as a non-exempt employee. I was subject to all of Defendant's
7 policies and practices that have been alleged as unlawful in the Complaint and the notice sent to the
8 Labor and Workforce Development Agency, including the following: failure to pay overtime, failure to
9 pay minimum wages, failure to provide accurate wage statements, failure to timely pay final wages,
10 failure to provide meal and rest periods or pay premiums in lieu thereof, failure to reimburse employees
11 for incurred expenses, failure to pay all wages, unlawful deductions, violation of California's Quota
12 Laws, and engaging in unfair competition.

13 3. I have actively participated in the litigation of this case for the benefit of all Settlement
14 Class Members. Prior to obtaining an attorney, I performed several hours of research trying to find a
15 quality attorney to handle the claims. I also performed several hours of research on the potential
16 claims, so I could be sure I could have an informed discussion with the attorneys about the claims and
17 have a better idea of what to expect in litigation and how to help the case proceed. After securing
18 Shimoda & Rodriguez Law, PC, I continued to be actively involved in the case to help ensure a positive
19 outcome.

20 4. My attorneys explained to me the risks and benefits of bringing a class action and a
21 claim under the Private Attorneys General Act ("PAGA"). I understood that pursuing the case as a
22 class and PAGA action meant that it would take substantially longer than pursuing my claims
23 individually, whether in Court or with the California Labor Commissioner, and that I risked getting
24 nothing in the end, but I believed it was important to make sure that Defendant followed the law for
25 everyone. I understood that I took on the risk, both professionally and financially, in pursuing the case
26 as a class and PAGA action rather than pursuing my claims individually, including the risk of having to
27 pay Defendant's costs if we were unsuccessful in bringing our claims.

1 5. During the course of this litigation, I have given detailed accounts of all the facts related
2 to my employment. I provided my attorneys with extensive documentation that I believe supported the
3 claims brought against Defendant. I met with and assisted my attorneys in understanding these
4 documents and providing context for Defendant's payroll process as it applied to me and how I
5 believed it applied to Defendant's other employees. I worked in multiple departments. I worked as a
6 receptionist for most of the time, but I also helped with assignments in the traffic/dispatch department,
7 so I was able to discuss the similarities of the wage and hour policies and practices among all
8 Settlement Class Members.

9 6. The work I performed for this case included an extensive review of documents and
10 payroll practices to show and explain to my attorneys what was happening and why I thought it was
11 unlawful. For example, I searched for and reviewed many payroll documents and work-related
12 documents to show and explain to my attorneys what was happening and why certain practices were
13 unlawful. I helped review and explain to my attorney's different documents such as payroll documents,
14 paystubs and payroll records, payroll polices, bonus compensation policies, meal and rest period
15 policies, employee handbook, timesheets, and Defendants' practices of such policies. Also, I spent a
16 substantial amount of time discussing the bonus compensation policies, and the circumstances under
17 which they would be earned. This was very important because directly related to our regular rate
18 claims of calculating overtime wages, meal and rest period premiums, and paid sick leave. This helped
19 not only the overtime wages, meal and rest period premiums, and paid sick leave claims but also claims
20 related to waiting time penalties and failure to provide accurate wage statements. Moreover, I provided
21 my attorneys with payroll records which helped my attorneys investigate Defendant's rounding and
22 clock in policies. I also provided information regarding potential collective bargaining agreements and
23 their potential applicability and scope. Furthermore, I provided text messages to my attorneys to show
24 the necessity of work-related cell phone use even for communication between employees and
25 management throughout the workday. Finally, I sought out potential witnesses for my attorney's to
26 interview and obtain declarations in support of our claims. Overall, I have spent an enormous amount
27 of time assisting in the prosecution of this case.

1 7. I participated in the negotiations and settlement discussions in this case, including
2 participating in mediation by phone, speaking with my attorneys to answer questions, provide any
3 additional information needed to assist the negotiations, and discussing the potential terms of the
4 Agreement to evaluate its adequacy. Throughout the course of this litigation I have asked questions
5 when I needed clarification about various aspects of this case to make sure there were continually steps
6 taken to advance the interests of Settlement Class Members.

7 8. Although I have already spent a substantial amount of time on this case and assisting my
8 attorneys, I expect the amount of time I spend on this case will increase if preliminary approval is
9 granted because Settlement Class Members will likely reach out to me about the Settlement and the
10 process for receiving payment.

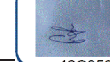
11 9. I have not received any benefits as a result of filing this lawsuit. I have, however,
12 experienced substantial burdens as a result of filing the lawsuit that other Settlement Class Members
13 were not subject to. For example, in bringing the lawsuit, I assumed the risk of having to pay
14 Defendant's costs if the Court or jury rules against us on the claims. My understanding is that this is a
15 substantial risk because the costs associated with litigation, in general, are very high and this cost is
16 multiplied many times over in complex litigation like class actions. I have spent a substantial amount
17 of time in this case, securing a monetary benefit for many individuals who have not had to do anything
18 whatsoever to have the opportunity to receive it. I have been employed full-time during the majority of
19 the time this case has been pending. As a result, the time I have spent on this case has to occur during
20 my lunch and/or break times, after hours, and on my days off. This is particularly challenging because
21 I am a single mother and have a small child who I must take care of full time. Rather than spend this
22 time with friends and family, I have spent this time for the benefit of Settlement Class Members. I
23 have also experienced a great amount of anxiety arising because of litigation in this case. Finally, as
24 part of the Settlement, I am providing a general release of all my individual claims and waiving the
25 protections of California Civil Code section 1542 for unknown claims. Settlement Class Members are
26 not subject to such a broad release.

1 10. I have reviewed the final Joint Stipulation of Class Action and PAGA Settlement and
2 Release, discussed the terms with my attorney, and asked my attorney any questions I had. I believe
3 the terms of the Settlement and allocations are fair and reasonable given the facts of the case.

4 11. I understand that any Class Representative Enhancement Payment I may receive is for
5 my participation as a Class Representative and it is not contingent on my support or approval of the
6 Agreement.

7 I declare under penalty of perjury under the laws of the State of California that the foregoing is
8 true and correct. Executed on 1/23/2024 in Stockton, California.

DocuSigned by:



42C05363D2B34F8...

Elizabeth Sanchez