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Attorneys for Plaintiff

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

BERNADINE SMALLEY, as a private attorney
 general,

Plaintiff,

vs.

BRIGHTON COLLECTIBLES, a California
 employer; and DOES 1 through 50, inclusive,

Defendants.

Case No. 21STCV43898

[Hon. Holly J. Fujie, Department 56]

**DECLARATION OF BERNADINE
 SMALLEY IN SUPPORT OF PLAINTIFF'S
 MOTION FOR APPROVAL OF PAGA
 SETTLEMENT**

Date: October 24, 2024
 Time: 8:30 a.m.
 Courtroom: 56

Reservation ID: 447233439289

Complaint Filed: December 2, 2021
 FAC Filed: January 28, 2022

1 I, Bernadine Smalley, declare as follows:

2 1. I am an individual over the age of 18. I am the named plaintiff in the above-reference
3 action. I have personal knowledge of the facts set forth below, except as to those matters stated on
4 information and belief and, as to those matters, I believe them to be true. If called as a witness, I could
5 testify competently as to the matters stated in this declaration.

6 2. In 2021 I began working for Brighton Collectibles. Until my employment as an assistant
7 store manager ended in November of 2021, I was paid on an hourly basis as a non-exempt employee and
8 earned additional non-base hourly wages or other non-hourly, non-discretionary remuneration, including
9 for example bonus incentives. I worked more than 5.0 hours in a workday, but I regularly was not
10 provided either a duty-free 30-minute meal period within the first five hours of work or an additional
11 hour of regular rate wages for a missed, late, or interrupted meal period. I worked more than 8.0 hours in
12 a day or 40.0 hours in a week, but I was not paid all due overtime wages. I also was not provided with
13 accurate itemized wage statements and was not timely paid all due wages during employment or at the
14 end of employment.

15 3. I understand that this action is being prosecuted on behalf of the State of California and
16 that I am acting as a private attorney general. I have taken all necessary steps to represent the interests of
17 the State, including by providing information and documents to my counsel, discussing the claims and
18 lawsuit with my counsel, and answering any questions that have come up, including about how I was
19 paid or what my wage statements show or meant. Each month during the more than 2.5 years that the
20 lawsuit has been pending, I have spent at least an hour, on average, to progress this lawsuit. I had to be
21 available to participate in the discovery process as well as in a mediation.

22 4. I understand that I am responsible to the State with respect to trying the case, appearing
23 in court, and working with my counsel. I remain willing to devote my time to this lawsuit for the benefit
24 of the State. I do not believe I have any interests that are adverse to the interests of the State. I also am
25 unaware of any such issues having been raised or presented by anyone else.

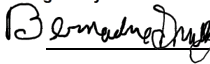
26 5. I believe many employees would not sue their employer out of fear. I took on risks by
27 bringing this lawsuit, and I understand that the State and others will benefit because of the actions that I
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1 have taken. I feel that it is a positive accomplishment, am proud of the result, and believe that the
2 settlement is fair, adequate, and reasonable.

3 6. I am informed and believe that there are other individual claims that I could have pursued
4 in litigation. Nonetheless, I am executing a general release of any and all claims, including a waiver of
5 any rights I have under Civil Code section 1542. I understand the proposed settlement does not require
6 similar releases of any other employees.

7 I declare under penalty of perjury under the laws of the State of California that the foregoing is
8 true and correct. Executed this 8th day of August 2024, at Santa Clarita, California.

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Signed by:

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Bernadine Smalley