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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

PERLA MARIN, individually and on behalf of
all others similarly situated,

Plaintiff,

vs.

HB LEISURE, INC., a Florida corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No.: 37-2021-00048225-CU-OE-CTL

(Assigned to the Honorable Eddie C. Sturgeon,
Department 67)

**DECLARATION OF PERLA MARIN IN
SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: October 6, 2023

Time: 9:00 a.m.

Dept.: 67

DECLARATION OF PERLA MARIN

I, Perla Marin, hereby declare and state as follows:

1. I am an individual over the age of 18. I am the named plaintiff in the above-reference action. I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I was employed by Defendant HB Leisure, Inc. ("Defendant") as a Game Operator from about March 2021. I worked as a non-exempt, hourly employee until my termination on or about July 21, 2021.

3. During my employment, I earned additional non-discretionary remuneration, including, but not limited to, bonuses, in work weeks in which I also earned overtime wages. During weeks I worked overtime and received non-discretionary pay, the overtime wages were paid at my base rate of pay, instead of the correct, higher regular rate of pay. As such, I am owed additional wages.

4. I did not receive all wages owed to me at the end of my employment.

5. Given the underpayment of wages, the wage statements issued by Defendant did not identify the correct overtime wage rates of pay, gross wages earned, and net wages earned.

6. I understand that this action was brought on behalf of all other employees in the State of California, and that I am acting as a representative for the Class. As the Class Representative, I understand that it is my responsibility to act in the best interests of the Class and not my own. I agree that I will not put my own interests ahead of that of the Class, and that I will not settle out my class and PAGA claims as alleged in the Complaint separately or independently from the Class. Moreover, I am not aware of any conflicts that exist between my interests and the interests of the Class that would impair or affect my ability to serve as representative for the Class.

7. I have and continue to be willing to assist in the investigation of this matter, including meeting and discussing the case with my attorneys, providing any necessary information and documents, making myself available for trial or any further proceedings in this matter as required to represent the interests of the Class. I also understand my duties and

responsibilities to the proposed Class and will carry out those duties as necessary.

8. I have reviewed the Settlement Agreement and discussed its terms with my attorneys, and based on the information provided, I believe the settlement to be fair, adequate, and reasonable for myself and for the entire Class.

9. I have no relationship of any kind with the Free to Thrive organization.

10. I am proud of the result and accomplishment of this lawsuit. I feel that it is a positive accomplishment and understand that other people will benefit because of the actions that I have taken. I believe that the class settlement is fair, adequate, and reasonable.

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

Executed on this 20 day of April 2023, at San Diego, California.

DocuSigned by:



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Perla Marin