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Attorneys for Plaintiff and the Proposed Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF FRESNO**

SHELTON HARPER, an individual, on behalf  
of himself and others similarly situated

PLAINTIFF,

v.

SAN MAR PROPERTIES; and DOES 1 thru  
50, inclusive,

DEFENDANTS.

CASE NO. 21CECG03563

[Case Assigned for All Purposes to Hon.  
Jonathan Skiles in Dept. 403]

**DECLARATION OF SHELTON HARPER  
IN SUPPORT OF MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: January 18, 2024

Time: 3:30 PM

Dept.: 403

Complaint Filed: December 2, 2021

FAC Filed: February 7, 2022

Trial Date: None Set

**DECLARATION OF SHELTON HARPER**

I, SHELTON HARPER, 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 SAN MAR PROPERTIES ("San Mar" or "Defendant") as a property manager and was paid on an hourly basis.

3. I brought this lawsuit, on behalf of myself and all other Class Members, against Defendant because I believe that San Mar did not pay all wages and/or overtime, failed to provide meal and rest breaks, failed to provide accurate itemized wage statements, and failed to pay all wages due at the time of termination/resignation to me and other employees.

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

5. I first researched experienced attorneys who are very experienced with these types of employment 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 December 2021.

6. 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 and documents 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, making myself available to attend a full-day mediation on May 24, 2022; and reviewing and analyzing the settlement agreement and settlement papers to ensure the settlement was fair and reasonable and in the best interests of the Class Members.

7. I estimate the total time spent in connection with this matter is approximately 25-35 hours.

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

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

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

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

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

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

16           14.    It is my opinion that the settlement agreement provides for a fair and adequate  
17 enhancement for me as a Class Representative, in the amount of \$5,000.00. I believe that this is  
18 fair and reasonable in light of all of the work that I have performed in my role as Class  
19 Representative. As Class Representative, I have actively participated in all stages of the litigation,  
20 as detailed above, and have always maintained the best interests of the Class while performing my  
21 Class Representative duties.

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Executed this 18 day of December, 2023 at Fresno, California.

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**DECLARATION OF SHELTON HARPER IN SUPPORT OF MOTION FOR FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT**

**(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 December 20, 2023, I served all interested parties in this action the following documents described as: **DECLARATION OF SHELTON HARPER IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

|                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SUTTON HAGUE LAW CORPORATION, P.C.</b><br>S. Brett Sutton<br>brett@suttonhague.com<br>Jared Hague<br>jared@suttonhague.com<br>Jonathan W. Black<br>jonathan@suttonhague.com<br>Brady Briggs<br>brady@suttonhague.com<br>5200 N. Palm Ave., Ste. 203<br>Fresno, California 93704<br><b>Attorneys for Defendant</b> | William Zev Abramson<br><b>Abramson Labor Group</b><br>11846 Ventura Blvd., Suite 100<br>Studio City, CA 91604<br><a href="mailto:Wza@abramsonlabor.com">Wza@abramsonlabor.com</a><br><b>Attorneys for Plaintiff</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**[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 December 20, 2023, at Woodland Hills, California.

  
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Michelle Tanzer