

KINGSLEY & KINGSLEY, APC

ERIC B. KINGSLEY, Esq. (SBN 185123)

eric@kingsleykingsley.com

KELSEY M. SZAMET, Esq. (SBN 260264)

kelsey@kingsleykingsley.com

16133 Ventura Blvd., Suite 1200

Encino, CA 91436

Tel: (818) 990-8300, Fax (818) 990-2903

ABRAMSON LABOR GROUP

WILLIAM ZEV ABRAMSON, Esq. (SBN 289387)

wza@abramsonlabor.com

3580 Wilshire Blvd., Ste 1260

Los Angeles, CA 90010-2513

Tel: (213)493-6300, Fax (213)382-4083

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 PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: May 11, 2023

Time: 3:30 P.M.

Dept.: 403

Complaint Filed: December 2, 2021

FAC Filed: February 7, 2021

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 action. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto. I am making this sworn declaration in support of my claims and the claim of my co-workers, in support of my qualifications as named Plaintiff, and in support of the Motion for Preliminary Approval of Class Action Settlement. If called as a witness, I could and would competently testify as to the truth of the matters set forth herein.

2. I performed work for SAN MAR PROPERTIES ("Defendant" or "San Mar") as a property manager and was paid on an hourly basis.

3. I have spent significant time throughout this class action working with Class Counsel. Before filing my complaint against San Mar on December 2, 2021, I researched and identified Counsel that I believed could best represent the interests of the Class Members. It was important to me to find attorneys with experience in these types of claims. I also assisted the attorneys with the investigation and gathering of documents and information including discussing my work experience and the experience of others that I had observed while working for San Mar. I provided all relevant employment documents in my possession.

4. I have carefully reviewed the terms of the proposed settlement. My attorneys explained the specifics of how the settlement would work and I accepted the settlement only after I had spent time evaluating the proposed outcome to assure that I believed it was fair based on all of the circumstances. Based on my attorneys' evaluation, and my own review, I believe the settlement is fair and reasonable and adequately compensates members of the settlement Class.

5. Throughout the entirety of this litigation, I have maintained regular contact with Class Counsel and assisted in any way possible by providing information and making myself available as needed. I have spent a significant amount of time researching and conferring and working with my attorneys on the prosecution of my claims and evaluating the settlement and related documents. I estimate that I have spent between 20 and 30 hours assisting my attorneys in

1 the prosecution of this lawsuit.

2 6. I believe that I have put the Class Members interests ahead of my own interests at
3 all times during this litigation. I was aware that by helping to initiate this lawsuit, my name would
4 become known and it was possible that my involvement in this matter could make it more difficult
5 for me to obtain employment in this field. Regardless, I believed it was important to proceed with
6 this matter on my behalf and on behalf of all others who were subject to the same problems during
7 their employment with San Mar.

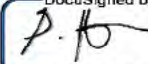
8 7. I also am aware and understand that I have agreed to sign a broader release of the
9 claims than the release applicable to the Class Members in reaching the settlement. This means I
10 am releasing any and all of my claims against San Mar if the agreement is approved.

11 8. Being involved in this lawsuit has been stressful. I have certainly taken time away
12 from my day-to-day schedules to work on this case with my attorneys for the benefit of the Class,
13 but it has also been stressful because I have never been involved in this type of litigation before
14 so this is all new and has caused a lot of anxiety about how things will go.

15 9. Based upon my participation in this case, I understand the merits of this settlement
16 and I strongly support the settlement and believe it is fair and reasonable, and in the best interest
17 of the class. I believe that a \$5,000.00 settlement is fair and reasonable, and this Settlement will
18 benefit the Class Members.

19 10. As named Plaintiff, I actively participated in all stages of the litigation as detailed
20 above and have always maintained the best interest of the Class while performing my named
21 Plaintiff duties. I am committed to this case and will continue to make myself available as needed
22 in the settlement process.

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct. Executed this 4th day of May, 2023
25 at Fresno, California. (City)
26 (State)

DocuSigned by:


0720089B96E7B414

SHELTON HARPER
Declarant

(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 May 5, 2023, I served all interested parties in this action the following documents described as: **DECLARATION OF SHELTON HARPER IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

SUTTON HAGUE LAW CORPORATION, P.C.

S. Brett Sutton

brett@suttonhague.com

Jared Hague

jared@suttonhague.com

Jonathan W. Black

jonathan@suttonhague.com

Brady Briggs

brady@suttonhague.com

5200 N. palm Ave., Ste 203

Fresno, CA 93704

ABRAMSON LABOR GROUP

William Zev Abramson

Wza@abramsonlabor.com

3580 Wilshire Blvd., Ste 1260

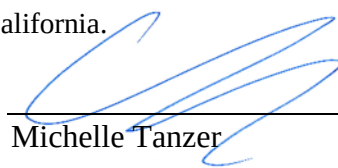
Los Angeles, CA 90010-2513

[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 May 5, 2023, at Woodland Hills, California.


Michelle Tanzer