

1 Janelle Carney (201570)
janelle@janellecarneylaw.com
2 **JANELLE CARNEY- ATTORNEY AT LAW, APC**
14758 Pipeline Ave., Suite E
3 Chino Hills, CA 91709-6025
Tel.: (909) 393-0223 / Fax: (909) 393-0471

4 Manny Star (319778)
manny@frontierlawcenter.com
5 Adam Rose (210880)
adam@frontierlawcenter.com
6 **FRONTIER LAW CENTER**
23901 Calabasas Rd., #2074
7 Calabasas, CA 91302
Tel.: (818) 914-3433 / Fax (818) 914-3433

8 Attorneys for Plaintiff, Noe Ponce Ceja
9

10
11
12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **COUNTY OF SAN DIEGO**
14

15 NOE PONCE CEJA, individually and on
behalf of all others similarly situated,

16 Plaintiff,

17 v.

18 VENTURE DYNAMICS ENTERPRISES,
19 INC. and DOES 1 to 100,

20 Defendants.
21
22
23
24
25
26
27
28

Case No. 37-2022-00004908-CU-OE-CTL
Hon. Katherine Bacal
Dept. C-69

**SUPPLEMENTAL DECLARATION OF
NOE PONCE CEJA IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT, ATTORNEYS'
FEES, COSTS, AND CLASS
REPRESENTATIVE ENHANCEMENT**

Date: March 15, 2024
Time: 1:30 p.m.
Dept.: C-69

Action filed: February 7, 2022

**SUPPLEMENTAL DECLARATION OF NOE PONCE CEJA IN SUPPORT OF PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT,
ATTORNEYS' FEES, COSTS, AND CLASS REPRESENTATIVE ENHANCEMENT**

1 I, Noe Ponce Ceja, declare:

2 1. I am an individual currently residing in San Ysidro, California. I am over the age
3 of 18, and the following is based upon my own personal knowledge. If called to testify, I could
4 and would testify thereto.

5 1. I am the named Plaintiff in this action. I am an adult over the age of 18. The
6 foregoing is based on my personal knowledge, and if called as a witness, I would and could
7 competently testify thereto.

8 2. I am filing this declaration in further support the motion for final approval of the
9 class action and PAGA settlement, of my attorneys' request for a \$7,500.00 enhancement for me,
10 and for attorneys' fees and costs. I submitted a declaration dated May 31, 2023, in support of the
11 preliminary approval request. This declaration will supplement the May 31, 2023, declaration
12 that I signed in support of preliminary approval.

13 3. After the court approved Notice was sent to the class members and aggrieved
14 employees I continued to work on the matter. I have always been ready to respond to all
15 inquiries and calls that I have received about this case and the settlement. I estimate that I have
16 spent approximately 35 hours on this case and anticipate more time through the final distribution
17 once the court hears this motion.

18 4. I believe that the settlement is excellent. I was told that no class members have
19 requested exclusion which I believe reflects how well this settlement was received. I have only
20 heard good things about the settlement and no class member has expressed any complaint about
21 the settlement to me. I believe that these factors weigh heavily towards approving the settlement
22 as it has been received well by the 744 class members. I have not received any negative feedback
23 from any of my former co-worker class members regarding the terms of the settlement, including
24 their settlement share, my enhancement request, attorneys' fees and costs and administrator fees.

25 5. Filing this lawsuit resulted in my having to endure a lot of stress, as I understood
26 the risks involved in taking on Defendant with a high-powered law firm defending it.

27 6. As previously set forth in my May 2023 declaration, I understand that I am acting
28 as a Private Attorney General on behalf of the aggrieved employees and the State of California. I

1 believe that the Class Action Settlement in the gross amount of \$1,000,000.00 obtained on behalf
2 of the class of approximately over 744 class members is excellent in view of the complex and
3 varied issues involved with the case.

4 7. I believe the requested enhancement amount of \$7,500.00 is fair and reasonable in
5 light of my work experience and the fact that I gave up my individual rights to sue Venture
6 Dynamics Enterprises, Inc., as part of this settlement by signing a general release of any and all
7 claims, not just wage and hour claims. This case was stressful and caused anxiety and stress that
8 no other class member had to endure. Accordingly, I do believe that the \$7,500.00 is fair and
9 reasonable which is also evident as not one class member has objected to this amount.

10 8. Being a class representative has also caused me significant stress. This was the
11 first litigation I have been involved in and it was stressful since I wanted to be a true champion
12 for the class and aggrieved employees. I also wanted to ensure that I represented the State of
13 California properly as a Private Attorney General.

14 9. This litigation has also resulted in a valuable benefit to the Class Members who
15 will participate in a monetary payout due to my initiative in seeking counsel to file a class action
16 and then for my significant involvement, at least 35 hours of time.

17 10. I support my attorneys' request for fees as I believe the attorney fee request of
18 \$333,333.00 to be reasonable in light of the excellent work and favorable result my attorneys
19 achieved for the members of the Class. I understand that the attorneys are requesting to be
20 awarded attorneys' fees of 33.33% of the gross settlement fund of \$1,000,000.00. The request of
21 33.33% is fair and reasonable especially in light of the work performed and the excellent result
22 received

23 11. I did provide my written consent to the attorneys' fee split that provides that the
24 JCAL and FLC will each receive an equal share of any fee award as it relates to the settlement.
25 The total amount of attorneys' fees requested of \$333,333.33 is based on the request and is to be
26 allocated as follows:

Janelle Carney – Attorney at Law, APC (50%)	\$166,666.65
Frontier Law Center (50%)	\$166,666.66

Total Fee Request

\$333,333.33

12. Based on the settlement result, I reiterate my full support for the entirety of the settlement and request that the Court enter a Final Approval Order.

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

Executed 2/21/2024 at San Ysidro, California.

DocuSigned by:

FA129F2F25C54FF...

Noe Ponce Ceja