

ELECTRONICALLY FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT
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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

ELIZABETH GARCIA, on behalf of the State
of California and other aggrieved persons,

Plaintiff,

v.

GIANT INLAND EMPIRE RV CENTER,
INC., a California corporation; and DOES 1
through 10, inclusive,

Defendants.

Case No.: CIVSB2209435

PAGA REPRESENTATIVE ACTION

[Assigned for all purposes to: Hon. Jessica
Morgan, Dept. S-26]

**DECLARATION OF ELIZABETH
GARCIA IN SUPPORT OF PLAINTIFF'S
MOTION TO APPROVE PAGA
SETTLEMENT**

DECLARATION OF ELIZABETH GARCIA

I, Elizabeth Garcia, declare as follows:

1. I have personal knowledge of the facts set forth in this declaration and could and would competently testify to them under oath if called as a witness.

2. I am the named Plaintiff in this action filed pursuant to the Private Attorneys General Act ("PAGA") and submit this declaration in support of Plaintiff's Motion to Approve PAGA Settlement. Because I believe I have provided invaluable assistance during the course of this case, I am hopeful that the Court will approve my request of a \$7,500.00 service payment for my role as the PAGA Representative.

3. I am a former employee of Defendant Giant Inland Empire RV Center, Inc., ("Defendant"). I worked for Defendant from approximately October 2017 to approximately March 2021 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to Defendant's policies and practices that have been alleged as unlawful in the complaint.

4. I filed this lawsuit because I was concerned that I was not paid properly for all the hours that I worked, I was not provided all of my meal and rest breaks, and I was not reimbursed for all business expenses. While working for Defendant, my coworkers and I were asked to work long hours because of the amount of work, sometimes without taking meal and rest breaks and without receiving compensation for all hours worked. I also observed my co-workers working long hours without taking breaks. Furthermore, my co-workers and I were not reimbursed for all of our business expenses.

5. By representing other aggrieved employees in this lawsuit, I hoped that I might be able to change Defendant's policies to better protect the working conditions of my co-workers. I also understood it was my duty as the PAGA Representative to represent the State of California and other aggrieved employees, know about the lawsuit, help my attorneys, and keep updated on the case.

6. Prior to commencing this case, I provided Wilshire Law Firm with a detailed account of the facts related to my employment with Defendant. Additionally, I provided my counsel with

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documentation in the form of pay statements that applied to my employment with Defendant. Based on my conversations, my attorneys and I were able to identify instances when I was not paid correctly.

7. I have invested a lot of personal time and energy while this lawsuit has been pending. I made it a priority to be actively involved because I wanted to do everything I could to assist my attorneys in prosecuting this case. I regularly communicated with my attorneys and their staff to discuss updates on the case and to provide my attorneys with additional information.

8. I spent multiple hours looking for documents that my attorneys asked me to provide to help this case.

9. I also made myself available during the mediation for this case and I kept in regular contact my attorneys before and after the mediation to ensure that any questions the attorneys had could be answered.

10. I also reviewed documents filed in this case, including the settlement-related documents.

11. I believe the settlement is a good settlement and I would recommend that the Court approve it because I believe that this settlement is fair, adequate, and reasonable in view of PAGA's purposes. I am glad that I had the opportunity to represent the State of California and the aggrieved employees in this lawsuit and that I was able to recover penalties through a settlement for the aggrieved employees. I have also observed my attorneys' work throughout this case and I believe they have been thorough, diligent, prompt, courteous, and professional.

12. I estimate that I spent **at least 35 hours on this case** since I first contacted Wilshire Law Firm.

13. I did not make the decision to file this representative action lightly. I was concerned by the attention a lawsuit, and especially a representative action, would attract. My name would be associated with a lawsuit that I filed against my former employer and I am mindful that future employers might find out that I sued a former employer, which could hurt my employability. In a competitive job market, this factor may weigh heavily against me.

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1 14. Standing up for myself and the rights of others was not an easy decision, and I am
2 relieved that this case is coming to an end. Additionally, I had many financial constraints after
3 being employed by Defendant. I was forced to move in with relatives because I could no longer
4 afford my rent. I also had difficulty paying bills and day-to-day expenses. Even though I could
5 have potentially pursued faster recovery on an individual basis, I chose to pursue the claims
6 through this representative action to benefit other aggrieved employees. I am relieved this case is
7 coming to an end so that other employees and I can be compensated.

8 15. I respectfully request that the Court award me a \$7,500 service payment. I am
9 receiving no additional compensation for the claims raised in this case other than the
10 compensation provided for in the settlement. Based on my involvement in this case and the
11 benefits provided to workers of Defendant, I can say I helped represent the other workers who
12 may have been too afraid to say anything to management because they did not want to risk losing
13 their jobs or risk the stigma of suing an employer. I was not afraid to take that risk because I
14 strongly care about helping my fellow co-workers.

15 16. Although I continue to fear that employers may find out that I participated in this
16 lawsuit and hold it against me, I felt that important rights were at stake that hurt myself and other
17 employees.

18 I declare under penalty of perjury, under the laws of the State of California and the United
19 States of America, that the foregoing is true and correct.

20 Executed on 2/18/2025 at Ontario, California.

21 DocuSigned by:

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23 Elizabeth Garcia
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[illegible]

On March 7, 2025, I served the foregoing **DECLARATION OF ELIZABETH GARCIA IN SUPPORT OF PLAINTIFF'S MOTION TO APPROVE PAGA SETTLEMENT**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Barbara Pulmanova
b.pulmanova@musicckpeeler.com
MUSICK, PEELER & GARRETT LLP
 624 South Grand Avenue, Suite 2000
 Los Angeles, California 90017
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 Facsimile: (213) 624-1376

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

Executed on March 7, 2025, at Los Angeles, California.

1 PROOF OF SERVICE