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18 Attorneys for Plaintiff and the Aggrieved Employees

19 **SUPERIOR COURT OF CALIFORNIA**

20 **COUNTY OF MONTEREY**

21 NATALIA G. CRUZ, on behalf of herself
22 and all similarly aggrieved employees,

23 Plaintiff,

24 v.

25 VASVISION BERRY FARMS, LLC; and
26 DOES 1 through 50, inclusive,

27 Defendants.

Case No. 22CV001734

**DECLARATION OF NATALIA G. CRUZ
IN SUPPORT OF PLAINTIFF'S MOTION
TO APPROVE SETTLEMENT
AGREEMENT PURSUANT TO THE
PRIVATE ATTORNEYS GENERAL ACT**

Date: November 3, 2023
Time: 8:30 a.m.
Dept: 15

Complaint Filed: June 17, 2022
Trial Date: None

1 I, Natalia G. Cruz, declare as follows:

2 1. I am an individual over the age of 18 years old and am a resident of California. I
3 am the named Plaintiff in this matter. I have personal knowledge of the facts set forth below
4 and if called to testify I could and would do so competently.

5 2. I am the named plaintiff in the above-referenced representative PAGA action. I
6 was employed by Defendant Vasvision Berry Farms, LLC ("Vasvision) from in or around
7 2015 to August 6, 2021. Throughout my employment with Vasvision I was a non-exempt,
8 hourly employee.

9 3. I understand that this PAGA action was brought on behalf of the State of
10 California and other employees of Vasvision. I have invested a lot of personal time and energy
11 into representing the interests of my co-workers and the State.

12 4. Throughout the case, I spent time looking for documents relevant to the case,
13 including wage statements, time records and employee handbooks. Additionally, I met with
14 my attorneys on multiple occasions to provide documents and information regarding
15 Vasvision's meal and rest period procedures, pre-shift activities (such as stretching and
16 meetings), and the payment of final wages. I also met with my attorneys to discuss the status
17 of the lawsuit and provide input on case documents, such as the PAGA Notice and Complaint.

18 5. Before signing the Joint Stipulation of Settlement and Release under the Private
19 Attorneys General Act (the "Settlement Agreement" or "Agreement"), I discussed in detail the
20 terms of the Agreement with my attorneys. I believe that the terms of the Agreement are fair,
21 adequate and reasonable.

22 6. I did not make the decision to join this representative action lightly. I was
23 concerned by the attention a publicly filed lawsuit would attract. My name would be
24 associated with a lawsuit that I filed against my employer. Additionally, because the claims
25 alleged by me involved the payment of costs to the prevailing party, I could have possibly
26 faced paying the fees and costs of Vasvision, had I not prevailed in this action. I also
27 understood that an individual case would have resolved much faster than a representative
28 action and involved much less financial risk.

7. I respectfully request that the Court award a \$5,000 Enhancement Payment to me. I believe this amount is fair compensation for my time and effort on this case, for helping to prosecute this case, and the risks with respect to my current and future employment. In addition, the Settlement requires that I enter into a general release, which I understand is broader than the release that will bind other employees.

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

Executed on October 10, 2023, at Watsonville, California.

Natalia G. Cruz