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Attorneys for Plaintiff Brian Hildick
and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF AMADOR

BRIAN HILDICK, on behalf of himself
and all “aggrieved employees” pursuant to
Labor Code § 2698 *et seq.*,

Plaintiff,

v.

SUN COMMUNITIES, INC., a Maryland
corporation, and DOES 1 through 10,
inclusive,

Defendants.

Case No. 22-CV-12673

Assigned to the Hon. Andrea Sexton, Dept. 3

CLASS ACTION

**DECLARATION OF BRIAN HILDICK IN
SUPPORT OF UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT AND FOR LEAVE
TO FILE FIRST AMENDED COMPLAINT**

Date: November 27, 2023

Time: 8:30 a.m.

Dept.: 1

Complaint Filed: June 14, 2022

I, BRIAN HILDICK, hereby declare and state as follows:

1. I am a named Plaintiff in this lawsuit against Sun Communities, Inc. (“Defendant”) and I submit this declaration in support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement. I am a competent adult and worked for Defendant as a non-exempt employee in Amador County during the relevant time period. I have personal knowledge of the facts set forth herein, and if called as a witness to testify to them, I could and would do so competently.

-1-

DECLARATION OF BRIAN HILDICK IN SUPPORT OF UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT AND FOR LEAVE TO FILE FIRST AMENDED
COMPLAINT

1 2. I contacted my current attorneys when I questioned the employment practices of
2 Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a Class
3 Representative in a class action on behalf of other employees of Defendant whom I believed were
4 being subjected to labor law violations. Although presented with the opportunity, I did not pursue
5 this case on an individual basis and instead did so as a class action so that I could help other
6 employees recover for what I believed were Defendant's illegal practices.

7 3. Specifically, I questioned Defendant's policies of failing to pay all wages; failing to
8 provide all meal and rest periods; failing to timely compensate employees upon separation; failing
9 to reimburse expenses; and issuing its employees deficient wage statements. Through many
10 discussions with my lawyers, I learned these may be illegal practices and Defendant's employees
11 might have recourse for them.

12 4. By bringing this lawsuit, and throughout its course, I have put the interests of the
13 class ahead of my own. I understood that I could possibly earn a small enhancement payment if
14 this case resolved itself favorably, but always knew that I could also be responsible for paying
15 Defendant's attorneys' fees and costs if it did not. My goal in bringing this lawsuit was to obtain
16 a recovery on behalf of the class, and even more importantly, to put an end to what I believed were
17 illegal practices on the part of Defendant. I believe I have achieved both through this lawsuit and
18 settlement.

19 5. I am very happy about the results of this litigation. I am satisfied that Defendant is
20 compensating class members for unpaid wages, premium wages for missed meal and rest periods,
21 expenses, penalties, and interest that I believe we are due.

22 6. At the onset of this case, I spent time through numerous phone calls with several of
23 my attorneys explaining what I understood to be the policies and procedures of Defendant and
24 how they were applied to me and others I worked with. During the course of this litigation, up
25 through and following the settlement process, I kept actively involved with its status, tracking the
26 status of the case and participating as much as possible.

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7. While I have not maintained detailed time records of my activities in connection with this litigation, I believe that have spent and will spend a total of approximately 40 hours assisting my attorneys with the preparation of this case, and doing work and analysis independent from my attorneys both before and during this case, including conducting an independent investigation of the facts.

8. Before this litigation commenced, and throughout its course, I have spent approximately 12.5 or more hours gathering, organizing, and reviewing documents and information for this lawsuit. I sifted through many of my own documents and reviewed information produced by Defendant as part of this case.

9. I have communicated with my attorneys several times per month to track my case's status. I have taken an active involvement in this matter throughout its course.

10. This lawsuit will almost certainly result in reputational harm to me. There is a stigma associated with suing anyone, let alone your former employer. I will probably be adversely affected when it comes to obtaining future employment – employers who learn that I sued Defendant in a class action will likely avoid hiring me.

11. I do not believe that I have any conflicts with other members of the class. My interests in bringing this lawsuit – for Defendant to change its labor practices going forward and to compensate current and former employees – are the same as those of all other class members.

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

Executed on September 6, 2023 at Atascadero, California.


BRIAN HILDICK