

JAMES HAWKINS APLC

James R. Hawkins (SBN 192925)
Christina Lucio (SBN 253677)
9880 Research Drive, Suite 200
Irvine, CA 92618
Tel.: (949) 387-7200
Fax: (949) 387-6676
Email: James@jameshawkinsaplc.com
Email: christina@jameshawkinsaplc.com

Attorneys for SOVATANA SAUT and
JOHN HISATO NAKATANI individually
and on behalf of all others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

SOVATANA SAUT and JOHN HISATO
NAKATANI, individually and on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

MCKESSON CORPORATION, a Delaware
Corporation; and DOES 1-50, inclusive,

Defendants.

Case No. 22STCV28690

Assigned for All Purposes to:
Hon. Maureen Duffy Lewis
Dept.: 38

**DECLARATION OF PLAINTIFF JOHN
HISATO NAKATANI IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT AGREEMENT,
APPROVAL OF NOTICE TO CLASS
MEMBERS, APPROVAL OF
SETTLEMENT ADMINISTRATOR, AND
SETTING HEARING FOR FINAL
APPROVAL OF SETTLEMENT**

1 I, John Hisato Nakatani, declare as follows:

2 1. I am one of the named Plaintiffs in this action. The facts set forth herein are true of my
3 own personal knowledge, and if called upon to testify thereto, I could and would competently do so
4 under oath.

5 2. During my employment, I believe that I was not paid for all hours worked, including
6 overtime and minimum wages, I was not provided compliant meal and rest breaks, I was not timely
7 paid all wages owed during employment and upon termination, I was not provided accurate wage
8 statements, I was not reimbursed for all necessary business expenses and I was not paid lawful sick
9 leave. Based on my experience and observations of the policies and practices of Defendant McKesson
10 Corporation ("Defendant" or "McKesson"), I believe other Class Members had similar experiences and
11 suffered the same violations.

12 3. After meeting with my attorneys, I decided to file a class action and a PAGA lawsuit to
13 seek relief for myself and all similarly situated employees. I agreed to serve as Class Representative.

14 4. On June 27, 2022, I submitted a letter to the California Labor Workforce Development
15 Agency ("LWDA") alleging that McKesson Corporation: (1) failed to pay all wages for hours worked
16 (including overtime and minimum wages); (2) failed to authorize and permit rest periods and failed to
17 provide lawful meal periods; (3) failed to timely pay wages during employment; (4) failed to provide
18 accurate itemized wage statements; (5) failed to keep accurate payroll records; (6) failed to timely pay
19 all wages owed upon separation from employment; (7) failed to reimburse business expenses; and (8)
20 failed to properly pay sick leave.

21 5. On June 27, 2022, I filed a class action in Los Angeles County Superior Court titled
22 *Sovatana Saut and John Hisato Nakatani v. McKesson Corporation.*, Case No. 22STCV20831,
23 alleging: (1) failure to pay minimum wages; (2) failure to pay overtime owed; (3) failure to provide
24 lawful meal periods; (4) failure to authorize and permit rest periods; (5) failure to timely pay wages
25 during employment; (6) failure to timely pay wages owed upon separation from employment; (7)
26 failure to reimburse necessary expenses; (8) knowing and intentional failure to comply with itemized
27 wage statement provisions; and (9) unfair competition.

28 6. On September 1, 2022, I filed the present PAGA action seeking PAGA penalties for the

1 violations alleged in the Class Action and LWDA letter. As part of this settlement, I have filed a First
2 Amended Complaint in the Los Angeles County Superior Court action, effectively bringing the class
3 claims into this PAGA action.

4 7. On July 23, 2024, I submitted a supplemental notice to clarify the facts and allegations
5 previously asserted in my original notice by online submission to the LWDA and by certified mail to
6 Defendant of Defendant's violations of numerous provisions of the California Labor Code and the
7 IWC Wage Orders.

8 8. I worked for Defendant as a non-exempt hourly Material Handler, at the Defendant's
9 distribution center in West Sacramento from February 1, 2021 to December 10, 2021. Defendant is a
10 medical distributor that operates in California.

11 9. I allege that, during my employment, Defendant failed to provide compliant meal and
12 rest breaks, failed to pay all minimum and overtime wages owed, failed to pay all wages due upon
13 termination, failed to provide complete and accurate wage statements, failed to reimburse for necessary
14 expenses, failed to provide and/or pay for accrued sick leave, and failed to produce employee records.
15 This was true for myself and my fellow Class Members.

16 10. I understood my duty as Class Representative was to actively participate in the case and
17 keep apprised of its progress and to consider the Class's interests as I consider my own. I have worked
18 diligently to fulfill these duties by assisting my attorneys in investigating and prosecuting this action on
19 behalf of the Class. I do not believe, nor do I have any reason to believe, that my interests in this
20 lawsuit are in conflict with or in any way antagonistic to the interests of my fellow Class Members.

21 11. I understood the risks of serving as Class Representative, including potential liability for
22 Defendant's costs/fees and reputational harm that could affect future employment prospects. Despite
23 these risks, I felt obligated to pursue this case to vindicate our rights and recover wages owed.

24 12. As one of the named Plaintiffs in this action, I have provided significant assistance to
25 Class Counsel in this case. Among other things, I provided factual background for the mediation and
26 Complaints; spoke with other class members about their experiences working for Defendant; reviewed
27 the Complaints and settlement documents; searched for and provided documents; reviewed documents
28 with my attorneys; participated in calls to discuss litigation and settlement strategy; prepared for my

1 deposition and had my deposition taken; assisted in responding to discovery; and made myself
2 available for a full-day mediation. At no time did I ever have a guarantee of any personal benefit as a
3 result of this case. On the contrary, I assumed significant risk in bringing this litigation, namely, had I
4 lost, I could have been ordered to pay Defendant's costs, and my name will be attached to this lawsuit.

5 13. My attorneys provided me the proposed Class Action and PAGA Settlement, which I
6 carefully reviewed and discussed with them before signing. As Class Representative, I have agreed to a
7 broader release than other Class Members.

8 14. I am aware of the major details of the Settlement Agreement including the non-
9 reversionary Gross Settlement Amount (GSA) of \$2,250,000.00 and the requested allocations
10 therefrom. Even though I strongly believe in the merits of the case that I have brought, I understand
11 that there are no guarantees in litigation and there are significant legal hurdles to overcome to prevail
12 in this action if this case continues to be litigated. Given these risks, I believe the Settlement is fair,
13 adequate, and reasonable and is in the best interest of the Class.

14 15. It is my understanding that based upon my efforts as the named Plaintiff in this action, I
15 am requesting a Class Representative Service Payment. I understand that any award is subject to the
16 Court's discretion. I respectfully request that the Court grant this award to me in the amount of
17 \$10,000 for my service to the class and efforts in prosecuting this action, and in exchange for the broad
18 general release that will enter into as part of the Settlement.

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

21
22 Executed on 08/22/2024 in Sacramento, California.

23
24 John Nakatani
John Nakatani (Aug 22, 2024 21:24 PDT)
25 John Hisato Nakatani
26
27
28



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Make a Reservation

SOVATANA SAUT, INDIVIDUALLY AND ON BEHALF OF THEMSELVES AND ALL OTHERS
SIMILARLY SITUATED, et al. vs MCKESSON CORPORATION, A DELAWARE CORPORATION

Case Number: 22STCV28690 Case Type: Civil Unlimited Category: Other Employment Complaint Case
Date Filed: 2022-09-01 Location: Stanley Mosk Courthouse - Department 38

Reservation

Case Name:

SOVATANA SAUT, INDIVIDUALLY AND ON BEHALF
OF THEMSELVES AND ALL OTHERS SIMILARLY
SITUATED, et al. vs MCKESSON CORPORATION, A
DELAWARE CORPORATION

Case Number:

22STCV28690

Type:

Motion re: (Motion for Preliminary Approval)

Status:

RESERVED

Filing Party:

SOVATANA SAUT, individually and on behalf of
themselves and all others similarly situated (Plaintiff)

Location:

Stanley Mosk Courthouse - Department 38

Date/Time:

10/11/2024 9:30 AM

Number of Motions:

1

Reservation ID:

796399044398

Confirmation Code:

CR-CZ9L5GWZT8UFAMQSY

Fees

Description	Fee	Qty	Amount
Motion re: (name extension)	0.00	1	0.00

Chat

Description	Fee	Qty	Amount
TOTAL			\$0.00

Payment	
Amount: \$0.00	Type: NOFEE
Account Number: n/a	Authorization: n/a
Payment Date: n/a	

 Print Receipt

 [Reserve Another Hearing](#)