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Attorneys for Plaintiff Gabriela Bustamante
and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

GABRIELA BUSTAMANTE, on behalf of
herself and all “aggrieved employees”
pursuant to Labor Code § 2698 et seq.,

Plaintiff,

v.

MARRIOTT HOTEL SERVICES, INC., a
Delaware corporation; and DOES 1
through 10 inclusive,

Defendants.

Case No. 22CV400968

*Assigned to the Hon. Theodore C. Zayner, Dept.
D19*

CLASS ACTION

**DECLARATION OF GABRIELA
BUSTAMANTE IN SUPPORT OF
UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND
REPRESENTATIVE ACTION SETTLEMENT**

Date: May 8, 2024

Time: 1:30 p.m.

Dept.: D19

Action Filed: July 21, 2022

1 I, GABRIELA BUSTAMANTE, hereby declare and state as follows:

2 1. I am the named Plaintiff in this lawsuit against Defendant Marriott Hotel Services,
3 Inc. ("Defendant") and I submit this declaration in support of Plaintiff's Unopposed Motion for
4 Preliminary Approval of Class Action Settlement. I am a competent adult and previously worked
5 for Defendant as a non-exempt employee in Santa Clara County and worked during the relevant
6 time period. I have personal knowledge of the facts set forth herein, and if called as a witness to
7 testify to them, I could and would do so competently.

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

14 3. Specifically, I questioned Defendant's policies of failing to pay all minimum and
15 overtime wages, failing to provide meal and rest periods, and issuing its employees deficient wage
16 statements. Through many discussions with my lawyers, I learned these may be illegal practices
17 and Defendant's employees might have recourse for them.

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

25 5. I am very happy about the results of this litigation. I am satisfied that Defendant is
26 compensating class members for unpaid wages, penalties, and interest that I believe we are due.
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6. At the onset of this case, I spent time through numerous phone calls with several of my attorneys explaining what I understood to be the policies and procedures of Defendant and how they were applied to me and others I worked with. During the course of this litigation, up through and following the settlement process, I kept actively involved with its status, tracking the status of the case and participating as much as possible.

7. While I have not maintained detailed time records of my activities in connection with this litigation, I believe that I have spent a total of approximately 25 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 and attending a full-day mediation.

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, including assistance to my attorneys at the mandatory settlement conferences and at my deposition.

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.

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

3 Executed on December 20, 2023 at Salinas, California.

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