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Attorneys for Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF NAPA**

SOCORRO OCHOA, ANA GAYTAN  
GARCIA, TERESA GONZALEZ VEGA,  
LILIANA J. MOISEN, ANDREA GARCIA  
CERVANTES, and CECILIA CERVANTES,  
individually, and on behalf of all others similarly  
situated; ANA GAYTAN GARCIA and  
TERESA GONZALEZ VEGA, on behalf of the  
State of California and other aggrieved persons,

*Plaintiffs,*

v.

LA TAVOLA, LLC, a California limited  
liability company; BBJ RENTALS INC., a  
corporation; and DOES 1 through 10, inclusive,

*Defendants.*

Case No.: 22CV000862

**CLASS & REPRESENTATIVE ACTION**

**DECLARATION OF PLAINTIFF ANA  
GAYTAN GARCIA IN SUPPORT OF  
PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

**DECLARATION OF PLAINTIFF ANA GAYTAN GARCIA**

I, Ana Gaytan Garcia, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All of the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a former employee of La Tavola, LLC and BBJ Rentals Inc. (collectively, "Defendants"). I worked for Defendants from approximately 2013 to approximately June 2021 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to all of Defendants' policies and practices that have been alleged as unlawful in the First Amended Class & Representative Action Complaint.

4. I initiated a separate lawsuit (Napa County Superior Court, Case No. 22CV000887) against Defendants because I was concerned that I was not paid properly for all the hours that I worked, and I was not provided all of my meal and rest breaks. By originating the separate lawsuit against Defendants, I hoped that I might be able to change Defendants' policies to better protect the working conditions of my co-workers. I ultimately joined this action as a class representative.

5. I have invested a lot of personal time and energy into this action. As detailed more fully below, I have spent approximately 45 hours on this case. I made it a priority to be actively involved because I wanted to do everything I can to assist my attorneys in prosecuting this case.

6. Throughout this case, I had numerous phone conversations with my attorneys to stay updated on the case and share relevant information. This was especially true during January and February 2023 when my attorneys and I were opposing a motion to compel arbitration filed by Defendants in my separate lawsuit.

7. Additionally, in preparation for the mediation in October 2023, I engaged in several

lengthy discussions with Wilshire Law Firm, PLC about the claims involved and the mediation process.

8. During the course of the case, I devoted significant time to locating and providing relevant documents to my attorneys. This process required numerous hours, including when I initially contacted my attorneys and in the lead-up to mediation. I also reviewed legal documents, such as the retainer and settlement agreement, and engaged in detailed discussions with my attorneys about their terms.

9. I also made myself available on the day of mediation and was in constant contact with my attorneys so I could assist them with any questions or issues that they may have had.

10. I would recommend that the Court approve this settlement because I believe that the settlement amount, as well as its terms, is fair, adequate, and reasonable. I am grateful for the opportunity to represent the class in this lawsuit and to help secure a settlement that provided financial recovery for the class.

11. I did not arrive at the decision to join this class action without careful thought. I understood that a public lawsuit—especially a class action—would draw attention, and that my name would be linked to legal action against my former employer. I also recognized the risk that future employers might learn I had sued Defendants. Still, I believed vital rights were being undermined in a way that affected everyone, and I felt compelled to act.

12. I also understand that there was financial risk in bringing this lawsuit. For example, I knew that if I did not prevail in this lawsuit that I could potentially be responsible for Defendants’ attorneys’ fees and costs.

13. I understand that under this settlement agreement, I may receive a service payment of up to \$7,500. I believe this sum fairly compensates me for the time and effort I committed to prosecuting this case, as well as the potential impact on my future employment. I also acknowledge that I have signed a general release, which is broader than the release binding other class members. Beyond what is specified in the settlement, I am not receiving any additional compensation or benefits.

14. Drawing on my involvement in this case and the resulting benefits for my former

co-workers, I'm proud to have stood up for those who felt too intimidated to speak out for fear of losing their jobs or being labeled as troublemakers for suing their employer. I was willing to face those risks because I genuinely care about protecting the interests of my former colleagues.

15. I reviewed and signed the Class Action and PAGA Settlement Agreement in full and my attorneys answered all the questions I had. I believe the settlement terms and allocations are fair, adequate, and reasonable given the strength of the class claims and Defendants' defenses.

16. I have no conflicts of interest with any class member or the Settlement Administrator, ILYM Group, Inc.

17. I am not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by the Settlement.

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

Executed on 12/30/2024, at Napa, California.

Firmado por:  
  
5CFE9AFDC3584D4...  
 Ana Gaytan Garcia

**PROOF OF SERVICE**

*Ochoa v. La Tavola, LLC, et al.*  
22CV000862

STATE OF CALIFORNIA            )  
                                                  ) ss  
COUNTY OF ORANGE            )

I, Zeyra Ceballos, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 15707 Rockfield Blvd., Suite 250, Irvine, California 92618. My electronic service address is zeyra.ceballos@wilshirelawfirm.com.

On **December 30, 2024**, I served the foregoing **DECLARATION OF PLAINTIFF ANA GAYTAN GARCIA IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION 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:

Annie Lau (SBN 302438)  
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Attorneys for Defendants

- (X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor & Workforce Development Agency Online Filing Site.
- (X) **BY E-MAIL:** I hereby certify that this document was served from Irvine, 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.

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

Executed on **December 30, 2024** at Irvine, California.

  
\_\_\_\_\_  
Zeyra Ceballos