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Attorneys for DIANA VASQUEZ on behalf of
the general public as private attorney general

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

DIANA VASQUEZ, on behalf of the general
public as private attorney general,

Plaintiff,

v.

BOB'S DISCOUNT FURNITURE LLC, a
Massachusetts Limited Liability Company; and
DOES 1-50, inclusive,

Defendant.

Case No. 56-2022-00569476-CU-OE-VTA

Assigned for All Purposes to
the Honorable Charmaine H. Buehner, Dept.
J4

**DECLARATION OF DIANA VASQUEZ IN
SUPPORT OF PLAINTIFF'S MOTION
FOR APPROVAL PAGA SETTLEMENT**

Date: August 19, 2025
Time: 8:30 a.m.
Dept.: J4

DECLARATION OF DIANA VASQUEZ

I, DIANA VASQUEZ, declare as follows:

1. I am over the age of eighteen. I submit this Declaration in support of the concurrently filed Motion for Approval of the PAGA Settlement. The following is based upon my personal knowledge, and if called as a witness, I could and would competently testify regarding the statements in this Declaration.

2. I was employed by Defendant BOB'S DISCOUNT FURNITURE LLC, ("Defendant"), as a non-exempt employee in approximately March 2019 as a Non-Exempt Employee, and worked during the liability period for Defendant as a Sales Support Manager, until my separation from Defendants' employ in approximately September 2021. My duties included, revising orders, inspecting the showroom, setting up the showroom, and office related tasks.

3. Prior to filing this lawsuit, I searched for an attorney and found James Hawkins, APLC. I never knew James Hawkins, APLC before my consultation with them. After my consultation, I asked them to represent me in bringing a PAGA action on behalf of myself and all other similarly situated non-exempt employees of Defendant.

4. I knew the alleged Labor Code violations complained of in the complaint not only happened to me but happened to the other employees of Defendant that I worked with. I wanted to help the other non-exempt workers vindicate their rights, so I decided to bring this action lawsuit that we filed on or about October 31, 2022.

5. I believe my situation is similar and has been similar to all other non-exempt employees like me who worked for Defendant during the PAGA period. The Complaint which I brought against Defendant, alleged PAGA Representative claims for: (a) failure to pay wages including overtime, (b) failure to provide meal periods for every work period exceeding more than five (5) or ten (10) hours per day and failure to pay an additional hour's of pay or accurately pay an additional hour's of pay in lieu of providing a meal period; (c) failure to provide rest breaks for every four (4) hours or major fraction thereof worked and failure to pay an additional hour's of pay or accurately pay an additional hour's of pay in lieu of providing a rest period; (d) failing to pay all wages earned and owed upon separation from Defendant's employ, (e) failing to

1 provide accurate itemized wage statements, (f) failing to accurately calculate sick pay, (g) failing
2 to reimburse necessary business expenses, and (h) for unlawful deductions.

3 6. On September 20, 2024, my attorneys formally notified the Labor & Workforce
4 Development Agency (LWDA) of a proposed amendment to my PAGA complaint. This
5 amendment includes a claim regarding the misclassification of my status as an exempt employee,
6 asserting that I should have been classified as a non-exempt employee. The filing date for the first
7 amended complaint is on or about July 25, 2025.

8 7. I believe that my interests have been and continue to be in alignment with the
9 Aggrieved Employees, and I am willing to continue to pursue and prosecute their representative
10 claims against Defendant in this litigation. I believe I do not have any interests which are against
11 the interests of the Aggrieved Employees, and I will continue to do what is best for all the
12 Aggrieved Employees rather than myself, as I have done from the beginning of this case.

13 8. My relationship with James Hawkins, APLC is purely an attorney client
14 relationship and there are no other business, familial or social relationships between my attorney
15 and myself. In addition, I do not have any relationship with Defendant other than being a former
16 employee of Defendant. For these reasons, there is no conflict of interest between myself, my
17 attorney, between Defendant, and myself or between the Aggrieved Employees and myself.

18 9. As the PAGA Representatives in this case, I participated in every aspect of the
19 litigation and have been apprised of its progress. I believe I have maintained the best interests of
20 the Aggrieved Employees while performing my PAGA Representative duties, and I participated
21 in many interviews and conferences with PAGA counsel regarding the conduct and settlement of
22 this matter. I have spoken with several other Aggrieved Employees and provided information
23 regarding their claims to my counsel in support of proving the PAGA claims and establishing
24 what happened to us as a group of employees.

25 10. My counsel has informed me that this information, along with the details and
26 support I provided for the claims alleged in this matter, were very important in convincing
27 Defendant to negotiate the settlement now before the Court for approval. I have also provided
28 many documents to my counsel in support of the PAGA claims, have helped my attorneys with

1 preparing written questions and what documents to ask for, and I have invested a lot of time and
2 effort in performing my duties on behalf of the Aggrieved Employees. I also conducted
3 numerous meetings with my counsel to prepare for and discuss Defendant' information requests
4 in advance of the mediation.

5 11. After reviewing the settlement agreement and speaking with my counsel about it,
6 I agreed to sign it on behalf of myself and all the other Aggrieved Employees. I signed the
7 settlement because I believe the Settlement obtained in this case on behalf of the Aggrieved
8 Employees is very fair, sufficient, and reasonable in view of the facts I know and have been made
9 aware of, and due to the risk of going through further litigation. I believe the average payouts for
10 the Aggrieved Employees are very reasonable considering all the facts and evidence and risks
11 moving the case forward to trial.

12 12. I have not received and understand I will not receive any consideration or promises
13 that are different from any of the other Aggrieved Employees will receive under the Settlement.

14 13. I also understand and believe to be fair the settlement allocation formula and
15 believe it fairly accounts for the individual settlement payments based on the strengths and
16 weaknesses of the various alleged claims and also considering the individual compensation and
17 pay rates for the various PAGA members over the settlement period.

18 14. I also understand my counsel will request that I be awarded an Enhancement
19 Award of \$10,000.00 for my efforts as a PAGA Representative, and that this additional payment
20 is not guaranteed, but must be approved by the Court. I believe the requested enhancement
21 payment is fair and reasonable based upon the results we have achieved for the Aggrieved
22 Employees and because of the tasks I have performed on their behalf, including:

- 23 • Compilation of many documents for my attorneys;
- 24 • Review of many documents with my attorneys;
- 25 • Conducting preparation with my attorneys and participating in responding to
- 26 information for mediation and to informal discovery requests;
- 27 • Several telephone conferences with my attorneys and their representatives;
- 28 • Participation in the mediation and in the approval settlement process;

15. I estimate that I have spent approximately 40 hours helping to prosecute this matter.

16. I also believe the requested enhancement payment is fair and reasonable because my decision to accept the risk of being a PAGA Representative in a PAGA action under the Labor Code may affect my future ability to get other jobs in this industry. I also understood and accepted the risk of potentially being liable for the opposing parties' costs and attorneys' fees if I was unsuccessful in this lawsuit. I voluntarily assumed these real and large risks and the case would not have been brought without me and the other PAGA members. I believe the Aggrieved Employees will receive a good benefit by resolving their claims against Defendant under the terms of the settlement.

17. I declare under penalty of perjury under the laws of California that the foregoing is true and correct. Executed on this July 28 day of July 2025 at Van Nuys, California.

DocuSigned by:

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DIANA VASQUEZ