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Attorneys for Plaintiffs and the Class

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

CANDON LOVETT, KENNITH BOOZE,
DEARTIS SUDDUTH, JONATHAN
GIRVIN, individually, and on behalf of other
members of the general public similarly
situated and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act,

Plaintiffs,

vs.

WONDER ICE CREAM, INC., a California
corporation; WONDER ICE CREAM
COMPANY, LLC, an unknown business
entity; WIC, LLC, an unknown business
entity; WONDER ICE CREAM, LLC, an
unknown business entity, and DOES 1
through 100, inclusive,

Defendants.

Case No.: RG21109738

Honorable Evelio Grillo
Department 21

CLASS ACTION

**DECLARATION OF JONATHAN GIRVIN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, CLASS
COUNSEL FEES AND COSTS, AND
SERVICE AWARDS**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement, Class
Counsel Fees and Costs, and Service Awards;
Declaration of Class Counsel (Edwin
Aiwazian); Declaration of Settlement
Administrator (Yami Burns); and [Proposed]
Final Approval Order and Judgment filed
concurrently herewith]

Date: December 1, 2023
Time: 9:00 a.m.
Department: 21

Complaint Filed: August 4, 2021
FAC Filed: September 1, 2021
SAC Filed: June 15, 2023
Trial Date: None Set

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DECLARATION OF JONATHAN GIRVIN

I, **Jonathan Girvin**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am a soon to be named plaintiff in the above-captioned case, and the named plaintiff in *Jonathan Girvin v. Wonder Ice Cream Company, LLC, et al.*, Santa Clara Superior Court Case No. 22CV397371, which is being resolved along with the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Wonder Ice Cream, Inc. ("Wonder Ice Cream") in a salaried position, misclassified as "exempt" from approximately June 2018 to approximately November 2018. I decided to seek legal advice about my work experiences with Wonder Ice Cream and about pursuing my grievances. I contacted Lawyers for Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Wonder Ice Cream was held accountable for not paying its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated class action lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 10 hours. Thereafter, I consulted with the attorneys at Lawyers for Justice, PC for 8 hours discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act ("PAGA") in general, and what it meant to be a named plaintiff and class representative.

3. I have spent over 19 hours communicating with my attorneys regarding the matter and fulfilling my responsibilities as a class representative, which included gathering documents concerning my employment with Wonder Ice Cream, reviewing documents with my attorneys, answering questions, and providing guidance regarding the duties of salaried employees misclassified as "exempt", and helping develop a strategy as to what documents and information

1 to obtain from Wonder Ice Cream. I routinely checked in with my attorneys and their staff to
2 make sure that they had all of my most current information and any additional information that I
3 had obtained.

4 4. Throughout the matter, I was available to answer any questions my attorneys had,
5 and available to speak and meet with my attorneys whenever they needed me. I responded to them
6 as quickly as possible and gave them as much information and identified as many documents as I
7 could. I spent at least 16 additional hours speaking with my attorneys about the matter, identifying
8 potential witnesses, providing my attorneys with documents and information concerning the
9 matter, and also describing policies, practices, and procedures of Wonder Ice Cream.

11 5. As far as the settlement is concerned, I was available to review documents and
12 answer any questions my attorneys had. I spent about 4 hours reviewing the settlement agreement
13 and about 2 hours asking questions and discussing the potential settlement with my attorneys
14 before signing the settlement agreement.

16 6. I believe that I have done everything that my attorneys have asked of me and have
17 tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees
18 and the State of California. I think my efforts helped to get the result obtained in this matter, and
19 as a class representative, I respectfully request that the Court award me a service award in the
20 amount of \$10,000.00 for my active participation in this matter. Taking into consideration the
21 time that I have dedicated to this matter, I believe that this amount is reasonable.

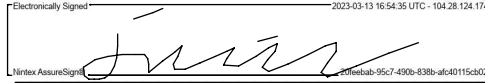
23 7. I am not related to anyone associated with Lawyers *for* Justice, PC.

24 8. I have not entered into any undisclosed agreements, nor have I received any
25 undisclosed compensation in this matter. The only compensation I will receive is whatever
26 amount the Court awards as a service award, as well as my share of the settlement fund as a class
27 member.

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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 this 03/13 day of March 2023, at Fairfield, California.

4  Electronically Signed 2023-03-13 16:54:35 UTC - 104.28.124.174
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