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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

DAGIM WOLDETSADIK, an individual,
on behalf of himself and on behalf of all
persons similarly situated,

Plaintiffs,

vs.

THE MILLENNIUM GROUP OF
DELAWARE, INC., a Corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No. 23CV049184

**DECLARATION OF DAGIM
WOLDETSADIK IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

Hearing Date: December 17, 2024

Hearing Time: 1:30 p.m.

Reservation ID: 286814455973

Judge: Hon. Noel Wise

Dept.: 21

Action Filed: October 25, 2023

Trial Date: Not set

1 I, Dagim Woldetsadik, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a proposed Class Representative in the above-
3 entitled matter. I submit this declaration in support of the Motion for Preliminary Approval of Class
4 Settlement and in support of my application for a class representative service payment.

5 2. I have personal knowledge of all the facts stated herein. I could and would competently
6 testify under oath to these facts in court if requested to do so.

7 3. I worked for the defendant The Millenium Group of Delaware (“Millenium”) in California
8 from June of 2014 to January of 2022, and during that time period was been classified by Millenium
9 as a non-exempt employee.

10 4. I retained my attorneys who are experienced in both class action and PAGA representative
11 action litigation and claims against employers for violations of the California Labor Code. I have
12 no personal relationship or family ties to my attorneys or any officer of the Court. I am not aware
13 of having any actual or potential conflicts of interest with another class member in this case. I am
14 not aware of any other pending matter or action asserting claims that will be extinguished or
15 adversely affected by this settlement.

16 5. I decided to file this class action lawsuit and be a plaintiff/class representative because I felt
17 that my legal rights as an employee and others like me were violated. For example, I was forced to
18 work off the clock as was required to fill out a COVID questionnaire prior to starting the work day,
19 I was called and texted by management while off the clock, and there was also significant boot up
20 time while clocking into the company laptop to access Paycom. I did not always receive compliant
21 meal and rest breaks which were often late, short or missed entirely – and when these violations
22 occurred, I did not receive all break penalty payments I was entitled to. Further, I was not
23 reimbursed for the use of my personal cell phone which was an essential tool necessary to perform
24 my job duties.

25 6. I spoke to my attorneys several times and discussed how Millenium implemented its
26 company policies and procedures. I also assisted my attorneys in their investigation into my claims
27 by providing them documents and answering their questions. I reviewed the complaint before it
28 was filed and was given access to an electronic file sharing program that alerted me via email when

1 important documents were filed so that I could review them and keep up with the developments in
2 the case which I understood was one of my duties as a class representative. I could also access court
3 filings from this case on my attorney's law firm website. Also, I was informed that Millenium had
4 the right to take my deposition, and that the preparation and deposition itself could take multiple
5 days. Although my deposition was not taken, I feel I would have been adequately prepared and
6 comfortable to give testimony on my experiences.

7 7. Even though this action is in the process of settling, I was and remain prepared to perform
8 all the duties of a class representative. I understand that as a class representative I have assumed a
9 fiduciary responsibility to prosecute this class action on behalf of the absent class members. I have
10 understood that as a fiduciary, I have a duty to prosecute this action for the benefit of the class
11 members and surrender any right to compromise the group action for an individual gain.

12 8. I understood that being a plaintiff/class representative in this case meant that I was seeking
13 damages not only for myself but also other current and/or former non-exempt employees working
14 for Millenium in California who make up the class. I felt that these individuals were not aware of
15 their labor law rights and even if they were they would probably be apprehensive about speaking
16 up or even simply because of the time, effort and risk involved in filing a class action lawsuit.

17 9. I understood that being a part of this lawsuit involved risks. For example, my attorneys
18 explained to me that if the case went to trial and we lost, I could be held responsible to pay for all
19 or part of the attorney fees and costs paid by Millenium to defend this lawsuit. Also, I knew there
20 was a risk that future employers, if they ever find out about this lawsuit, could hold it against me or
21 downgrade me as a potential hire. As the only named Plaintiff in this case it would not be difficult
22 for a future employer to become aware that I sued a former employer for labor law violations.
23 Ultimately, I decided these risks were worth it and decided to fight for my rights and the rights of
24 others regardless of the risks, time and effort I spent on this case.

25 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also kept up
26 to date on important developments by reviewing court filings that were made available to me
27 electronically as I described above.

28 11. A mediation took place on July 15, 2024, with David A. Rotman, a well-respected and

1 experienced mediator of wage and hour class actions. After the mediation the parties were able to
2 come to an agreement to settle the action based on a mediator's proposal. I communicated with my
3 attorneys regarding the terms of the settlement which was reached between the parties and
4 understood that I was representing absent class members and therefore wanted the best possible
5 result to be obtained for the class members and I believe a very positive result was in fact achieved
6 via settlement. I reviewed and signed the Memorandum of Understanding on September 18, 2024.
7 When the final settlement agreement was ready, I reviewed it closely and signed it.

8 12. I have been actively involved with this lawsuit performing the duties described above.
9 Although I did not keep time records, I was in regular contact with my attorneys, reviewed court
10 filings and spent a significant amount of time on the issues presented during the lawsuit and in the
11 settlement process. I estimate that I spent approximately 30-40 hours working on this case up until
12 this point. I believe I have been diligent and have done what is expected of a named plaintiff and a
13 proposed class representative to date, and will continue to do so. I have and always will maintain
14 the best interest of the class members.

15 13. My attorneys explained to me that the settlement process involves a two-step review by the
16 Court to determine whether the settlement is fair before approving the settlement. I know this
17 process also involves notifying all class members of the settlement terms and of their rights to make
18 a claim for their settlement share, to opt out of the settlement or to object to the settlement.

19 14. I believe I did the right thing by filing this case on behalf of the class members who, subject
20 to court approval, are in line to receive monetary payments as a result of this case and settlement.
21 This is money they may never have ever gotten if I did not pursue this action on their behalf. I feel
22 significant personal satisfaction to know that I played a role in the class members being entitled to
23 monetary payments as a result of the filing of this lawsuit. I also believe that the requested class
24 representative service award of \$15,000 from the settlement is fair compensation for the work I
25 performed and the risks I undertook.

26 15. As part of the settlement, it was necessary for me to sign a general release of claims I may
27 have against Millenium. I believe the class representative service payment I have requested provides
28 me with some compensation for this agreed release.

16. In light of all the time and effort I have spent on this case, the risk I undertook by suing a former employer, the exposure to being responsible for paying Millenium costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, the general release and in light of the size of the settlement, I believe the request for \$15,000 as a class representative service payment is fair and reasonable.

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

Executed on 11/12/2024, at Hayward, California.
(city, state)

Dagim Woldetsadik
Dagim Woldetsadik (Nov 12, 2024 17:01 PST)