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Attorneys for Plaintiffs

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

STEVEN NEEL, individually, and on behalf
of other members of the general public
similarly situated; KATIE MCCARLEY,
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.

BAKERSFIELD PIZZA WEST, INC. DBA
RUSTY'S PIZZA PARLORS, a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: BCV-19-101175

Honorable Bernard C. Barmann, Jr.
Department H

CLASS ACTION

**DECLARATION OF KATIE
MCCARLEY IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Hearing Date: April 30, 2025
Hearing Time: 8:30 A.M.
Department: H

Complaint Filed: April 26, 2019
FAC Filed: March 19, 2025
Trial Date: None Set

DECLARATION OF KATIE MCCARLEY

I, Katie McCarley, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the named plaintiffs in the above-captioned case, and the related case entitled *Katie McCarley v. Bakersfield Pizza West, Inc. d/b/a Rusty's Pizza Parlors*, Kern County Superior Court Case No. BCV-22-103336. 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 Bakersfield Pizza West, Inc. dba Rusty's Pizza Parlors ("Defendant") from approximately July 2021 to approximately November 2021 as an hourly-paid, non-exempt employee. I decided to seek legal advice about my work experiences with Defendant 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 Defendant was held accountable for not properly compensating its employees for all hours worked, non-compliant meal and rest breaks, and failure to reimburse expenses. I consulted with the attorneys and staff at Lawyers for Justice, PC 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, class representative, and a PAGA representative. Prior to commencing my lawsuit, I was informed of and came to understand what my duties and responsibilities would be as a plaintiff, a PAGA representative, and also, if class certification were to be obtained and if I were to be appointed as a representative of the class, what my duties and responsibilities would be in that event.

3. Throughout the cases, I have spent time speaking with my attorneys regarding the cases and fulfilling my responsibilities as a class representative and PAGA representative, which included gathering documents concerning my employment with Defendant, reviewing documents with my attorneys, answering questions, providing guidance regarding the duties of other hourly-paid non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Defendant. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained.

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4. Throughout these matters, I was available to answer any questions my attorneys had, and available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information and identified as many documents as I could. I spent time speaking with my attorneys about the cases, identifying potential witnesses, providing my attorneys with documents and information concerning the cases, and also describing policies, practices, and procedures of Defendant.

5. As far as the settlement is concerned, I was available to review documents and answer any questions my attorneys had. I reviewed the Memorandum of Understanding and the Settlement Agreement and discussed the questions I had regarding the potential settlement with my attorneys before signing the settlement papers.

6. I think my efforts helped to get the result obtained in these matters, and as a potential class and PAGA representative, I respectfully request that the Court award me an enhancement award for my efforts in pursuing and participating in these matters, as well as my broader release of claims. Taking into consideration the time that I have dedicated to these matters, I believe that this amount is reasonable.

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

8. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in these matters. The only compensation I will receive is whatever amount the Court awards as an enhancement award, as well as my share of the settlement as a class member and aggrieved employee.

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

Executed on March ²⁰, 2025, at Bakersfield, California.

Electronically Signed 2025-03-21 03:59:11 UTC - 172.56.120.29
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Katie McCarley