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and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF VENTURA

COLETTE APPEL, on behalf of herself
and all others similarly situated and on
behalf of the general public,

Plaintiff,

v.

INVITATION HOMES REALTY
CALIFORNIA INC., a California
corporation, and DOES 1 through 10,
inclusive,

Defendants.

CASE NO: 56-2022-00572240-CU-OE-VTA

Assigned to the Honorable Mark Borrell, Dept. 40

**DECLARATION OF COLETTE APPEL IN
SUPPORT OF UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS AND
REPRESENTATIVE ACTION SETTLEMENT
AND LEAVE TO FILE FIRST AMENDED
COMPLAINT**

Date: December 15, 2023

Time: 8:30 a.m.

Dept.: 40

Complaint Filed: November 18, 2022

1 I, COLETTE APPEL, hereby declare and state as follows:

2 1. I am the named Plaintiff in this lawsuit against Defendant Invitation Homes Realty
3 California Inc. ("Defendant") and I submit this declaration in support of Plaintiff's Unopposed
4 Motion for Preliminary Approval of Class and Representative Action Settlement and Leave to File
5 First Amended Complaint. I am a competent adult and worked for Defendant as an independent
6 contractor in Ventura County during the relevant time period. I have personal knowledge of the
7 facts set forth herein, and if called as a witness to testify to them, I could and would do so
8 competently.

9 2. I contacted my current attorneys when I questioned the employment practices of
10 Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a Class
11 Representative in a class action on behalf of other contractors of Defendant whom I believed were
12 being subjected to labor law violations. Although presented with the opportunity, I did not pursue
13 this case on an individual basis and instead did so as a class action so that I could help other
14 employees recover for what I believed were Defendant's illegal practices.

15 3. Specifically, I questioned Defendant's policies of improperly classifying certain
16 non-exempt employees as independent contractors and, as a result, failing to pay all minimum and
17 overtime wages due; failing to provide rest periods or compensation in lieu thereof; failing to
18 provide meal periods or compensation in lieu thereof; knowingly and intentionally failing to
19 comply with itemized employee wage statement provisions; and failing to timely pay wages due
20 at the separation of employment. Through many discussions with my lawyers, I learned these may
21 be illegal practices and Defendant's employees might have recourse for them.

22 4. By bringing this lawsuit, and throughout its course, I have put the interests of the
23 class ahead of my own. I understood that I could possibly earn a small enhancement payment if
24 this case resolved itself favorably, but always knew that I could also be responsible for paying
25 Defendant's attorneys' fees and costs if it did not. My goal in bringing this lawsuit was to obtain
26 a recovery on behalf of the class, and even more importantly, to put an end to what I believed were
27

1 illegal practices on the part of Defendant. I believe I have achieved both through this lawsuit and
2 settlement.

3 5. I am very happy about the results of this litigation. I am satisfied that Defendant is
4 compensating class members for unpaid wages, premium wages for missed meal and rest periods,
5 penalties, and interest that I believe we are due.

6 6. At the onset of this case, I spent time through numerous phone calls with several of
7 my attorneys explaining what I understood to be the policies and procedures of Defendant and
8 how they were applied to me and others I worked with. During the course of this litigation, up
9 through and following the settlement process, I kept actively involved with its status, tracking the
10 status of the case and participating as much as possible.

11 7. While I have not maintained detailed time records of my activities in connection
12 with this litigation, I believe that have spent and will spend a total of approximately 30 hours
13 assisting my attorneys with the preparation of this case, and doing work and analysis independent
14 from my attorneys both before and during this case, including conducting an independent
15 investigation of the facts.

16 8. Before this litigation commenced, and throughout its course, I have spent
17 approximately 12.5 or more hours gathering, organizing, and reviewing documents and
18 information for this lawsuit. I sifted through many of my own documents and reviewed
19 information produced by Defendant as part of this case.

20 9. I have communicated with my attorneys several times per month to track my case's
21 status. I have taken an active involvement in this matter throughout its course.

22 10. This lawsuit will almost certainly result in reputational harm to me. There is a
23 stigma associated with suing anyone, let alone an employer. I will probably be adversely affected
24 when it comes to obtaining future employment – employers who learn that I sued Defendant in a
25 class action will likely avoid hiring me.

11. I do not believe that I have any conflicts with other members of the class. My interests in bringing this lawsuit – for Defendant to change its labor practices going forward and to compensate current and former employees – are the same as those of all other class members.

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

Executed on November 9, 2023 at Newbury Park, California.

Colette Appel

COLETTE APPEL

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