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Attorneys for Plaintiff Kristine Kaestner
and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SACRAMENTO

KRISTINE KAESTNER, on behalf of
herself and all similarly situated
individuals,

Plaintiff,

v.

MY JOURNEY TRANSPORT, a
California corporation, JOURNEY VIA
GURNEY, LLC, a California limited
liability company, and DOES 1 through 10,
inclusive,

Defendants.

CASE NO: 34-2022-00330013

Assigned to the Hon. Lauri Damrell, Dept. 28

CLASS ACTION

**DECLARATION OF KRISTINE KAESTNER
IN SUPPORT OF UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF CLASS
AND REPRESENTATIVE ACTION
SETTLEMENT AND LEAVE TO FILE
SECOND AMENDED COMPLAINT**

Date: _____

Time: _____.m.

Dept.: 28

Complaint Filed: February 15, 2023

1
2 I, KRISTINE KAESTNER, hereby declare and state as follows:

3 1. I am the named Plaintiff in this lawsuit against Defendants My Journey Transport
4 and Journey Via Gurney, LLC (“Defendants”) and I submit this declaration in support of Plaintiff’s
5 Unopposed Motion for Preliminary Approval of Class and Representative Action Settlement and
6 Leave to File Second Amended Complaint. I am a competent adult and worked for Defendants as
7 a non-exempt employee in Sacramento County during the relevant time period. I have personal
8 knowledge of the facts set forth herein, and if called as a witness to testify to them, I could and
9 would do so competently.

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

16 3. Specifically, I questioned Defendants’ practices of failing to pay all wages; failing
17 to provide all meal and rest periods; failing to timely compensate employees upon separation;
18 failing to maintain required records; and issuing its employees deficient wage statements. Through
19 many discussions with my lawyers, I learned these may be illegal practices and Defendants’
20 employees might have recourse for them.

21 4. By bringing this lawsuit, and throughout its course, I have put the interests of the
22 class ahead of my own. I understood that I could possibly earn a small enhancement payment if
23 this case resolved itself favorably, but always knew that I could also be responsible for paying
24 Defendants’ attorneys’ fees and costs if it did not. My goal in bringing this lawsuit was to obtain
25 a recovery on behalf of the class, and even more importantly, to put an end to what I believed were
26 illegal practices on the part of Defendants. I believe I have achieved both through this lawsuit and
27 settlement.
28

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

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

9 7. While I have not maintained detailed time records of my activities in connection
10 with this litigation, I believe that have spent and will spend a total of approximately 25 hours
11 assisting my attorneys with the preparation of this case, and doing work and analysis independent
12 from my attorneys both before and during this case, including conducting an independent
13 investigation of the facts.

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

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

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

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

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 on September ^{09 / 11 / 2023} __, 2023 at Sacramento, California.

4 *Kristine Kaestner*

5
6 KRISTINE KAESTNER

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