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Attorneys for Plaintiff FREDERICK BERNARD, And the Proposed Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

FREDERICK BERNARD on behalf of himself and
all similarly situated persons, and the general
public,

Plaintiff,

vs.

OPTIMA TAX RELIEF, LLC; OPTIMA
FINANCIAL GROUP, LLC; and DOES 1 through
25, inclusive,

Defendants.

Case No.: 30-2022-01288055-CU-OE-CXC

[Assigned for all purposes to the Honorable
William Claster, Dept. CX101]

**DECLARATION OF FREDERICK
BERNARD IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

1 I, FREDERICK BERNARD, hereby state and declare as follows:

2 1. My name is Frederick Bernard, and I am one of the named Plaintiffs and Class
3 Representatives in this lawsuit. I understand what this case is about and have been involved in it from the
4 start. Everything I say below is based on what I personally know, and I would be able to testify to these
5 facts if asked to.

6 2. I worked for Defendants Optima Tax Relief and Optima Financial Group as a non-exempt
7 hourly employee of Defendant throughout my employment with Defendant which was within the Class
8 Period.

9 3. The purpose this case was to recover unpaid wages, premiums for meal and rest break
10 violations, reimbursement of business expenses, penalties for inaccurate wage statements, and penalties
11 for labor code violations. I'm bringing this case on behalf of current and former employees of Defendant
12 who worked as non-exempt employees.

13 4. I first contacted in September 2022 to pursue a discrimination and harassment including
14 wage and hour violations. I retained Nathan & Associates in October 2022 as my attorneys who filed the
15 initial lawsuit Bernard v. Optima, et al.

16 5. My original complaint filed on October 25, 2022, included a claim for wrongful
17 discrimination and harassment claim. I decided to dismiss the discrimination and harassment claims
18 without prejudice because my attorneys engaged in discussions with defense counsel. I had the
19 understanding that I could re-file the claims which is what I intended to do if discussions were not fruitful.

20 6. I assisted my attorneys by providing them documents, pay stubs, and my employment file.
21 I also reviewed those documents I located and provided to my attorneys, by myself and with my attorneys.

22 7. I also spent a significant amount of time over the course of several months contacting
23 witnesses and former employees and shared the information with my attorneys.

24 8. I responded to written discovery and reviewed discovery produced by Defendant. In 2024,
25 I also attended a mediation that did not result in a settlement.

26 9. Since becoming a Class Representative, I have performed my duties by working on this
27 case. I always answer my attorney's phone calls and have been available throughout this case to attorneys
28 via Zoom.

12. I was present during the entire time of the mediation because I took the day off-of-work per my attorney's instructions. Throughout the mediation, my attorney called me and had me answer questions.

15
16 I declare under penalty of perjury under the laws of the State of California and the United States
17 of America that the foregoing is true and correct.

DocuSigned by:

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Frederick Bernard