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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN FRANCISCO

Ahmone Bryant and **Susan Rodgers**, individually and on behalf of all others similary situtated,

Plaintiffs,

vs.

Brinker Restaurant Corporation; Brinker International, Inc., and Brinker International Payroll Company, L.P.,

Defendants.

Lead Case No. CGC-21-597124
Consolidated with Case No.: CGC-23-608589 (lead case)

[*Assigned for all purposes to: Hon. Jeffrey S. Ross*]

DECLARATION OF SUSAN RODGERS IN SUPPORT OF PLAINTIFFS' MOTION FOR APPROVAL OF PAGA SETTLEMENT

DECLARATION OF SUSAN RODGERS

I, Susan Rodgers, declare as follows:

1. The facts set forth herein are true of my own personal knowledge, and if called upon to testify thereto, I could and would competently do so under oath.

2. I am a Named Plaintiff in this action. On or around August 23, 2023, the PAGA Complaint entitled *Susan Rodgers, et al. v. Brinker Restaurant Corporation., et al.*, Case No. CGC-23-608589 ("Action"), was filed in San Francisco County Superior Court, on my behalf and on behalf of all aggrieved employees.

3. I am a resident of the county of Contra Costa in the State of California and was employed by Defendants as a To Go Specialist from July 2022 to January 2023.

4. My experience during my time working for Defendants was substantially similar to that of other PAGA Representatives Veronica Saldana, Ahmone Bryant, Amanda Hale, Jesus Gomez, and fellow Aggrieved Employees, and we were all subject to the same policies, practices, and procedures.

5. During the time I worked for Defendants, I and other aggrieved employees frequently missed rest and meal breaks. I also was not paid any premiums for any missed rest or meal breaks.

6. I was also required to perform work off-the-clock. I would be pressured to clock out before finishing my shift to avoid triggering any overtime which resulted in not getting paid for all my time worked.

7. Additionally, the company failed to reimburse me and Aggrieved Employees for all necessary business-related expenses incurred. As part of our job duties, Aggrieved Employees and I were required to purchase uniform garments and shoes. Aggrieved Employees and I were also required to use our personal cell phone for work related reasons.

8. Based on the policies and practices described above, I believe and alleged that Defendants systematically provided me with incomplete and inaccurate wage statements, and that the same was true of my coworkers as well.

9. I further believe and alleged that Defendants' failure to pay former Aggrieved Employees the earned and unpaid wages set forth above, including but not limited to premium payments, was willful.

10. Based on the policies and practices described above, I believe and alleged that my coworkers and I are entitled to civil penalties under the Private Attorney General Act of 2004.

11. I hired the law firms of King & Siegel, LLP in order to obtain justice for myself and the Aggrieved Employees for these illegal labor practices.

12. I understand that, as a PAGA Representative, I have a duty to look out for and protect the interests of the Aggrieved Employees as a whole. I do not believe, nor do I have any reason to believe, that my interests in this lawsuit are in conflict or in any way antagonistic to the interests of those of my fellow Aggrieved Employees.

13. Given the various defenses asserted by Defendants, the risk of not being awarded penalties or having them reduces by the Court, the delay of any potential appeals, and the fact that PAGA Members have a need for payment sooner rather than later, I believe, along with my counsel, that the Settlement obtained is fair and reasonable to the other PAGA Settlement Members.

14. As one of the Named Plaintiff in this Action, I provided valuable assistance to my counsel and the Aggrieved Employees in this case, including providing factual background for the PAGA Complaint; reviewing the relevant documents, and Complaint; emailing and participating in phone calls with my Counsel to discuss litigation and settlement strategy; remaining on-call and available during the mediation and negotiation of the settlement; reviewing the settlement documents; and providing this declaration.

15. To date, I estimate that I have spent a minimum of 10 hours assisting my Counsel in prosecution of his case, including: (a) including providing factual background for the PAGA Complaint; (b) reviewing the relevant documents and draft PAGA Complaint; (c) emailing, texting, and participating in phone calls with my Counsel to discuss litigation,

settlement strategy, and mediation; (d) remaining available during the negotiation of settlement; (e) reviewing settlement documents; and (f) providing this declaration.

16. This case also involved risks to me personally, such as the potential risk of having to pay costs[1] in the case if we lost and the risk of negative publicity by or to anyone who opposed this case.

17. This litigation was also lengthy. I have been involved in this case—seeking to obtain a benefit for the Aggrieved Employees—for almost two and a half years all with no assurance that I would recover any personal benefit. Indeed, outside the incentive award and my share of the PAGA recovery, I have received no personal benefit for my work.

18. Even in the face of these risks, I pursued this case on behalf of the Aggrieved Employees because I believe in it, and we reached a successful resolution and settlement as a result. Further, as part of the Settlement, I agreed to release all my claims against Defendants, including a Civil Code section 1542 waiver, even though other PAGA Settlement Members are releasing only the claims for civil penalties under PAGA at issue in this lawsuit.

19. I previously objected to the proposed settlement because, based on the record as it then existed, I believed the settlement did not fairly reflect the strength of the released PAGA claims, the contribution made by Amanda Hale and Jesus Gomez to the development of the litigation record, and the risks and value of the case. Since then, I have further reviewed the evidence, Defendants' defenses, and the revised global settlement. I now believe that the settlement reflects a reasonable compromise of genuinely disputed claims in light of the risks of continued litigation, possible appeal, the Court's discretion regarding penalties, and prior Orders regarding this case. As a result, I no longer oppose the settlement and support the current global PAGA Settlement, which has increased from the base amount of $1,647,500 due to the impact of Settlement's Escalator Provision.

[1] I understand that my counsel has advanced significant costs on my behalf and on behalf of the Aggrieved Employees and the State of California in prosecuting this Action.

20. I am glad that my efforts helped other Aggrieved Employees to benefit and obtain vindication for the Labor Code violations they suffered.

21. I understand that PAGA representatives are eligible for compensation for their efforts as a plaintiff in an action. As the Named Plaintiff in this Action, I respectfully request that the Court grant a service award to me in the amount of $2,500, in addition to my pro rata share of the PAGA Settlement fund. Based on the result obtained for the Aggrieved Employees, I, along with my counsel, believe this is a fair and appropriate award.

22. I am not receiving any consideration for my participation in the release of the PAGA representative claims other than my requested service award and pro rata share of the Settlement. I signed a general release as to my individual claims—which are currently in arbitration—in the amount of $10,000.

23. I respectfully ask that the Court grant final approval of this Settlement and grant my request for a service award.

24. I am not currently, nor have I ever been, a Named Plaintiff in any other PAGA Representative case, pending or closed.

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

Executed on 10/14/2026.

By: Suzie Rodgers (Oct 14, 2026 16:37:11 MDT)
Susan Rodgers