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ALLISON-WRIGHT on behalf of herself and
all others similarly situated and aggrieved

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

YVETTE CHERRI ALLISON-WRIGHT, an
individual and on behalf of all others similarly
situated,

Plaintiff,

v.

APERTO PROPERTY MANAGEMENT,
INC., a California corporation; and DOES 1
through 100, inclusive,

Defendant.

CASE NO.: 30-2023-01312346-CU-OE-CXC
[*Wright* Action]
Consolidated with Case No. 30-2023-
01327244-CU-OE-CXC [*Barahona* Action]

[Assigned for all purposes to the Hon. Lon
Hurwitz in Dept. CX103]

**DECLARATION OF PLAINTIFF
YVETTE CHERRI ALLISON-WRIGHT
IN SUPPORT OF PLAINTIFF'S MOTION
FOR APPROVAL OF REPRESENTATIVE
SETTLEMENT**

1 **DECLARATION OF YVETTE CHERRI ALLISON-WRIGHT**

2 1. I am a party to this action and reside in the State of California. I am fully competent
3 to make this declaration. I have personal knowledge of the facts set forth herein, except for those
4 stated on information and belief, and as to those I am informed and believe them to be true. If called
5 upon to testify, I could and would testify as set forth herein.

6 2. I make this Declaration in support of Plaintiff's Motion for Approval of
7 Representative Action Settlement.

8 3. I was employed by Defendant Aperto Property Management ("Aperto" or
9 "Defendant") as a non-exempt employee, with duties that included, but not limited to, answering
10 phones, dealing with vendors, collect and monitor tenants rent payments, resolve tenant's
11 complaints, and draft weekly reports, within California from approximately December of 2021
12 through approximately January of 2023.

13 4. Throughout my employment with Defendant, I am informed and believe that myself
14 and other non-exempt, hourly-paid employees of Defendant were not paid all wages owed because
15 we were not paid for all time under Defendant' control, or for which we were suffered or permitted
16 to work by Defendant. In addition, I am informed and believe we were not paid all overtime hours
17 worked at the overtime rate of pay owed due to, without limitation, failure to correctly calculate
18 regular rate of pay.

19 5. During my employment with Defendant, I sometimes took meal periods that were
20 after the fifth hour, interrupted, or not duty-free. I believe this occurred due to poor staffing during
21 high volume periods. On information and belief, I believe other non-exempt, hourly-paid employees
22 with my job duties were taking meal periods that were after the fifth hour, interrupted, or not duty-
23 free, as well.

24 6. I do not recall receiving premium pay for all of my meal periods that were taken after
25 the fifth hour, interrupted, or not duty-free. On information and belief, I believe other non-exempt,
26 hourly-paid employees with my job duties were not provided premium pay for not being provided
27 with the opportunity to take timely, full, uninterrupted, and off-duty 30-minute meal periods, either.
28

1 7. I do not believe I was provided with opportunities to take full, uninterrupted 10-
2 minute rest periods while working with Defendant. On information and belief, I believe other non-
3 exempt, hourly-paid employees with my job duties were not provided with such an opportunity,
4 either.

5 8. I do not recall receiving any premium pay for the full rest periods I was not provided
6 an opportunity to take. On information and belief, I believe other non-exempt, hourly-paid
7 employees with my job duties were not provided premium pay for not being provided with the
8 opportunity to take full, uninterrupted 10-minute rest periods, either.

9 9. I do not recall received any reimbursement for the usage of my personal cell phone
10 and personal vehicle for Defendant's benefit.

11 10. Before and during the course of litigation, I was actively involved in assisting my
12 attorneys to support the wage and hour claims asserted. My involvement began before the initial
13 complaint was filed wherein, I provided first-hand knowledge and documentation as to Defendant's
14 practices, its ownership and corporate structure, and their wage and hour policies and practices.

15 11. Part of the information I relayed was with regard to Defendant' timekeeping policies
16 and practices and their meal and rest period policies and practices.

17 12. I provided them with all the documentation I had in my possession related to my
18 employment with Defendant.

19 13. I assisted in reviewing time and payroll records with my attorneys and informed them
20 of Defendant' employment policies and whether those policies matched Defendant' practices.

21 14. My attorneys called me to ask me questions over several times throughout the
22 litigation and I contacted my attorneys several times to stay updated on the case and offer my
23 assistance on any matters I could be helpful with. I was also available for mediation by telephone,
24 during which I was available to be called to answer the questions posed by the mediator regarding
25 the asserted claims, as well as arguments raised by Defendant.

26 15. Over the past few months since the mediation has been resolved, I have stayed in
27 touch with my attorneys to ensure that there was no undue delay in payment for other class members
28

1 for whom I brought this Action.

2 15. I believe that, through the present, I have spent at least 22 hours in connection with
3 this matter, which included time spent having preliminary calls with my; doing an intake with my
4 attorneys; time spent searching for documents relating to my employment; time spent answering
5 calls to discuss Defendant' timekeeping, pay, meal and rest periods, and to review time and payroll
6 records; time spent discussing with my attorneys' Defendant's policies and practices; time spent on-
7 call at mediation; and time spent checking in on the status of the case, among other things. I also
8 spent time preparing this declaration to support Plaintiff's Motion for Approval of Representative
9 Action Settlement.

10 16. I feel that by bringing this lawsuit, I could stand up for not only my rights but the
11 rights of other employees who suffered from the same unfair wage practices. I felt that current
12 employees might not want to share their experiences with Defendant since they feared losing their
13 jobs. This is certainly understandable as I, too, have to provide for myself and others.

14 17. By bringing this lawsuit, I have put the interests of the class ahead of my own.

15 18. My goal in bringing this lawsuit was to obtain a recovery on behalf of the class, and,
16 even more importantly, to put an end to what I believe are illegal practices on the part of Defendant.
17 I believe I have achieved both through this lawsuit and settlement.

18 19. I understand the obligations of adequately representing the non-exempt, hourly paid
19 employees of the Defendant.

20 20. I understand the substantial burden I will have to undertake in order to represent the
21 non-exempt, hourly paid employees of the Defendant.

22
23 I declare under penalty of perjury under the laws of the State of California that the foregoing
24 is true and correct this 15 Day of October 2024, at Los Angeles, California.

25 
Yvette Cherri Allison-Wright (Oct 15, 2024 11:38 PDT)

26 YVETTE CHERRI ALLISON-WRIGHT
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