

Lilit Tunyan (SBN 329351)
ltunyan@tunyanlaw.com
Artur Tunyan (SBN 349174)
atunyan@tunyanlaw.com
TUNYAN LAW, APC
1336 Rossmoyne Avenue
Glendale, California 91207
Telephone: (323) 410-5050

Attorneys for Plaintiff Yadira Gonzalez, as an individual
and on behalf of all employees similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

YADIRA GONZALEZ, as an individual and
on behalf of all employees similarly situated,

Plaintiff,

v.

RV RETAILER SAN DIEGO, LLC, a Limited
Liability Company; RV RETAILER, LLC, a
Limited Liability Company; BLUE
COMPASS RV, LLC, a Limited Liability
Company; and DOES 1 through 50, inclusive,

Defendants.

Case No.: CVRI2301403

[Assigned for all purposes to Hon. Harold W. Hopp,
Dept. 1]

**DECLARATION OF YADIRA GONZALEZ
IN SUPPORT OF PLAINTIFF'S MOTION
FOR AN ORDER APPROVING
SETTLEMENT OF CLAIMS BROUGHT
PURSUANT TO THE PRIVATE
ATTORNEY GENERAL'S ACT OF 2004**

Reservation N: 054779068314

Date: November 13, 2023

Time: 8:30a.m.

Courtroom: Dept. 1

Judge: Hon. Harold W. Hopp

Action Filed: March 16, 2023

Trial Date: Not Set

DECLARATION OF YADIRA GONZALEZ

I, YADIRA GONZALEZ, declare as follows:

1. I am an individual over the age of 18 and am a named plaintiff in this matter against Defendants RV RETAILER SAN DIEGO, LLC; RV RETAILER, LLC; and BLUE COMPASS RV, LLC ("Defendants"). This declaration is submitted in support of approval of the Settlement Agreement reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

2. I worked for Defendants as a detailer from approximately October 2017 to October 28, 2022 at Defendants' facility located at 77840 Varner Road, Palm Desert, CA 92211.

3. While working for Defendants, at times I did not receive a meal period until after the end of my fifth hour of work and my meal periods were sometimes less than a full 30 minutes due to work demands. Often times I worked through my meal periods as I was required to keep my cell phone turned on during meal periods and to receive and respond to work related calls and text messages. My meal periods were also cut short by the time spent to walk to the break area and back to the workstation. Additionally, I was not always able to take uninterrupted and off-duty rest breaks for the same reasons as meal breaks. When I was required to work off-the-clock, I was not paid all wages owed for this time. I also used my personal cellular phone to download and use an application to record my time and to respond to work related class and messages. I was not reimbursed for that. Based on the above violations, it is my understanding that I was not paid all wages at the termination of my employment with Defendants, and that I was issued inaccurate wage statements.

4. I have been actively involved in this case since I first retained Tunyan Law, APC. I have had many discussions with the attorneys at Tunyan Law, APC regarding Defendants' wage and hour policies, my claims in this case, litigation strategy, potential witnesses, updates on how the case was proceeding, and how I could help the case. For example, I remained in regular communication with my attorneys regarding mediation discovery and settlement discussions that the parties had during the course of litigation and mediation. I also provided information and documents to my attorneys to assist them in preparing the case. I also spent time reviewing and discussing the Settlement Agreement as well as other

documents from my attorneys, and reviewing my own records for documents that would be potentially relevant to the case. In total, I estimate that I have spent more than 20 hours of my time in connection with this case since I first retained Tunyan Law, APC.

5. When I filed this lawsuit, I understood that this lawsuit could benefit my former co-workers, other Defendants' employees, and the State of California by helping to recover civil penalties on their behalf as a result of the alleged violations described above. I also understood that I was filing this case as an "aggrieved employee" on behalf of myself and my fellow "aggrieved employees" as well as the State of California.

6. As part of the proposed Settlement, and in exchange for representing other employees of Defendants and my general release payment, I have also agreed to a full release of claims related to my employment with Defendants that extends beyond the release of PAGA claims applicable to other aggrieved employees.

7. I understand that my attorneys will request that the Court approve this settlement and notify the court about the payment of \$5, 000.00 to me as a PAGA representative service award and general release payment for my full, general release of all claims against Defendants pursuant to the separate individual settlement agreement I entered with Defendants conditioned upon approval of PAGA settlement.

8. I am not related to anyone associated with Tunyan Law, APC.

9. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive is the payment of \$5, 000.00 to me as a PAGA representative service award and general release payment for my full, general release of all claims against Defendants as well as my share of the settlement fund as a class member and as an aggrieved employee.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed this 18th day of October 2023, at Desert Hot Springs, California.

DocuSigned by:


YADIRA GONZALEZ

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1336 Rossmoyne Avenue Glendale, California 91207. On October 18, 2023, I served the foregoing document described as:

On the date indicated below, I served the document described as: **DECLARATION OF YADIRA GONZALEZ IN SUPPORT OF PLAINTIFF'S MOTION FOR AN ORDER APPROVING SETTLEMENT OF CLAIMS BROUGHT PURSUANT TO THE PRIVATE ATTORNEY GENERAL'S ACT OF 2004** on the interested parties in this action by sending a true copy thereof to interested parties as follows and as stated on the attached service list:

Boris Sorsher
 bsorsher@fisherphillips.com
 Harrison M. Zator
hzator@fisherphillips.com
 Dorothy Wang
dwang@fisherphillips.com
 Brianna Huschke
bhuschke@fisherphillips.com
FISHER & PHILLIPS LLP
 2050 Main Street, Suite 1000
 Irvine, California 92614
 Telephone: (949) 851-2424
 Facsimile: (949) 851-0152

Attorneys for Defendants RV RETAILER SAN DIEGO,
 LLC, RV RETAILER, LLC and BLUE COMPASS RV, LLC

☒ **BY E-MAIL:** I hereby certify that this document was served from Glendale, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

☒ **BY ELECTRONIC SERVICE:** Based on a court order, Rule of Court, or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via electronic mail. I did not receive an error message.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on October 20, 2023 at Glendale, California.

Lilit Tunyan
 Name

Signature