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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: January 31, 2024
Time: 8:30a.m.
Courtroom: Dept. 1
Judge: Hon. Harold W. Hopp

Action Filed: March 16, 2023
Trial Date: Not Set

1 **DECLARATION OF YADIRA GONZALEZ**

2
3 I, YADIRA GONZALEZ, declare as follows:

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

9 2. I worked for Defendants as a detailer from approximately October 2017 to October 28,
10 2022 at Defendants' facility located at 77840 Varner Road, Palm Desert, CA 92211.

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

22 4. I have been actively involved in this case since I first retained Tunyan Law, APC. My
23 participation began with bringing certain issues that are involved in this matter to my Counsel's
24 attention and explaining the factual background that was used to prosecute the claims in this case. I
25 have had many discussions with the attorneys at Tunyan Law, APC regarding Defendants' wage and
26 hour policies, my claims in this case, litigation strategy, potential witnesses, updates on how the case
27 was proceeding, and how I could help the case. For example, I remained in regular communication
28 with my attorneys regarding mediation discovery and settlement discussions that the parties had during

1 the course of litigation and mediation. I also provided information and documents to my attorneys to
2 assist them in preparing the case. I also spent time reviewing and discussing the Settlement Agreement
3 as well as other documents from my attorneys, and reviewing my own records for documents that
4 would be potentially relevant to the case. In total, I estimate that I have spent more than 20 hours of my
5 time in connection with this case since I first retained Tunyan Law, APC. As a condition of the retainer
6 Tunyan Law, APC advanced costs of this litigation. Prior to this case I was not a named plaintiff in any
7 other class or PAGA action.

8 5. When I filed this lawsuit, I understood that this lawsuit could benefit my former co-
9 workers, other Defendants' employees, and the State of California by helping to recover civil penalties
10 on their behalf as a result of the alleged violations described above. I also understood that I was filing this
11 case as an "aggrieved employee" on behalf of myself and my fellow "aggrieved employees" as well as
12 the State of California. I do not believe that I have any conflicts with Aggrieved Employees included in
13 this proposed Settlement. To my knowledge, other than the litigation encompassed by this proposed
14 Settlement, there is no other litigation concerning the claims in this lawsuit nor have Defendants pointed
15 to any. I have assumed some long-lasting risk in prosecuting this case. Because it is so easy to search for
16 information online these days, I understood I would face an increased risk that future employers would
17 discover information about this lawsuit online and had a negative reaction to learning that I sued an
18 employer. This may make it harder for me to obtain future employment or change jobs for a better
19 opportunity.

20 6. As part of the proposed Settlement, I requested a General Release Payment in the amount
21 of \$5,000 in exchange for representing other employees of Defendants and the State of California and my
22 agreement to full release of all claims related to my employment with Defendants as described in the
23 Section 2 of the PAGA settlement and release agreement that extends beyond the release of PAGA
24 claims applicable to other aggrieved employees. I also understand the nature and value of all released by
25 me claims which are provided in details in my counsel's declaration in support of this Settlement
26 approval. (Tunyan Decl., ¶ 45.)

27 7. I understand that my attorneys will request that the Court approve this settlement and the
28 payment of \$5, 000.00 to me as a PAGA representative service award and general release payment for

1 my full, general release of all claims against Defendants.

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

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

8 I declare under penalty of perjury, under the laws of the State of California, that the foregoing is
9 true and correct. Executed 1/17/2024 | 4:32 PM PST , at Desert Hot Springs, California.

DocuSigned by:



YADIRA GONZALEZ

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
3) ss
4 COUNTY OF LOS ANGELES)

5 I am employed in the county of Los Angeles, State of California. I am over the age of 18
6 and not a party to the within action; my business address is 535 N Brand Boulevard, Suite 285,
Glendale, California 91203. On January 22, 2024, I served the foregoing document described as:

7 On the date indicated below, I served the document described as: **DECLARATION OF YADIRA**
8 **GONZALEZ IN SUPPORT OF PLAINTIFF'S MOTION FOR AN ORDER APPROVING**
9 **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:

10 Boris Sorsher
11 bsorsher@fisherphillips.com
12 Harrison M. Zator
13 hzator@fisherphillips.com
14 Dorothy Wang
15 dwang@fisherphillips.com
16 Brianna Huschke
17 bhuschke@fisherphillips.com
18 **FISHER & PHILLIPS LLP**
19 2050 Main Street, Suite 1000
20 Irvine, California 92614
21 Telephone: (949) 851-2424
22 Facsimile: (949) 851-0152

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

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

28 [✓] **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 January 22, 2024 at Glendale, California.

Lilit Tunyan
Name



Signature