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and on behalf of all others similarly situated.

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

JOEL TABANCY, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

FRESH DINING CONCEPTS, LLC; and
DOES 1 through 20, inclusive,

Defendants.

Case No. 23CV000661

Assigned for all purposes to:
Hon. Jill Talley
Dept. 23

**DECLARATION OF JOEL
TABANCAY IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

I, Joel Tabancay, declare as follows:

1. I have personal knowledge of the facts set forth herein and if called upon to testify, I could and would do so competently under oath. I make this declaration, with the help of a translator, in support of my Motion for Preliminary Approval of Class Action Settlement.

History

2. From about August 2022 to July 2023, I worked for Defendant Fresh Dining Concepts, LLC (“Defendant”) as an hourly/non-exempt employee in the position of General Manager. While I was working there, I felt that many of Defendant’s employees were not being paid correctly and not being provided the breaks that I learned are required by law.

3. Based on my experience and knowledge of Defendant’s wage and hour policies and my familiarity with its employment practices, I worked with my attorneys to bring claims on my own behalf as well as on behalf of other non-exempt employees of Defendant. Through my attorneys, I filed this class action lawsuit on April 27, 2023 on behalf of myself and all other non-exempt employees of Defendant who were not paid all of their wages and did not receive their meal and rest breaks.

4. I am seeking to become a Class Representative in this case. I believe my experiences are similar to Defendant’s other non-exempt employees. I believe we were all subject to the same employment policies and practices.

5. I do not have any conflicts with other non-exempt employees that would hinder my ability to represent them. Therefore, I believe I will adequately represent Defendant’s other non-exempt employees.

6. My interests as a named plaintiff in this litigation are not adverse to the interest of the other non-exempt employees. My interests are the same as the interests of the other non-exempt employees because we were all subject to the same policies and practices and were similarly injured by Defendant’s company-wide policies and practices. I am seeking the same recovery on behalf of myself and other non-exempt employees, which is to collect unpaid wages, meal period premiums, rest period premiums, and penalties that are owed by Defendant.

Work Performed in the Case

DECLARATION OF JOEL TABANCAY

Risks and Responsibilities of Filing the Lawsuit

13. When I decided to become involved in this lawsuit as a Class Representative for hourly/non-exempt employees of Defendant, I understood that I was not only seeking compensation for myself, but also for all other class members who worked for Defendant, and that by doing so, I would be delaying more immediate recovery available to me through the Labor Commissioner's office.

14. I was also made aware that being a Class Representative in a class action filed on behalf of others would subject me to a stigma that is sometimes associated with those who bring these kinds of lawsuits. I was aware that, as a Class Representative, I might be responsible for some or all of Defendant's legal costs if the case was not successfully concluded. Even with knowledge of these risks, I was willing to go forward and to act on behalf of the class, but I was nervous about losing and having a judgment filed against me for costs, or losing job opportunities in the future.

15. I understood that there were risks involved in class action lawsuits. I understood that the lawsuit could continue for several years and require my services and attention the entire length of the lawsuit. I learned that even if we won at trial, the case could be further delayed by appeals.

16. Additionally, the notice of settlement in this case will be sent to approximately 400 current and former employees of Defendant. The notice will inform all of these employees that I filed a class action lawsuit against the company. Exposing myself to this kind of publicity creates a risk for my future career prospects, since current and former employees of Defendant may move to different companies within the industry or may know people at other companies within the industry who do not want to hire someone who sued their employer.

17. Through the date of this declaration, I would estimate that I have spent over 200 hours searching for documents, communicating with my attorneys about the case, the company structure and operations, and my experience at the company, and making myself available to my attorneys whenever they needed me and similar related tasks. I responded to my attorneys' questions as quickly as I was able, and gave them as much information as I could to help the case.

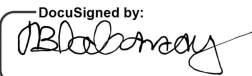
1 This time also includes the time I spent reviewing the settlement documents thus far and discussing
2 the settlement with my attorneys before signing the settlement documents. I anticipate spending
3 additional time working with my attorneys wrapping up the settlement and the approval process.

4 **Enhancement Award**

5 18. I believe that I have done everything my attorneys have asked of me, and I have
6 tried to represent the class to the best of my ability. I think my efforts helped to get the result
7 obtained in this case. I understand that I may be entitled to an additional payment for my role as a
8 class representative and my work related to the case. I further understand that this additional
9 payment is not guaranteed and is subject to Court approval. Taking into consideration the time I
10 dedicated to this case while struggling to find employment following my employment with the
11 Defendant, and the results achieved through the settlement, I believe that the requested award is
12 reasonable. My opinion about the fairness and adequacy of the settlement in the case is not based
13 on this potential payment.

14 19. I am not aware of any interests I have that are adverse to the interests of the proposed
15 Class members, and I do not have any conflicts that would keep me from adequately representing
16 the class. I remain committed to prosecuting this case vigorously on behalf of the Class.

17
18 I declare under penalty of perjury under the laws of the State of California that the foregoing
19 is true and correct and that this declaration was executed on September 19, 2025 in California.

20 DocuSigned by:


21 553102F538EA400...
Joel Tabancay