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Attorneys for MARK FRANKLIN, on behalf of himself,
all others similarly situated, and on behalf of the general public

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF KERN

MARK FRANKLIN on behalf of
himself, all others similarly situated, and
on behalf of the general public,

Plaintiffs,

v.

DESERT HAVEN ENTERPRISES; and
DOES 1-100,

Defendants.

Case No. BCV-23-101153
(Consolidated with Case No. BCV-23-101829)

*[Assigned for All Purposes to the
Honorable Gregory A. Pulskamp; Div. J]*

**DECLARATION OF PLAINTIFF MARK
FRANKLIN'S IN SUPPORT OF HIS
MOTION FOR FINAL APPROVAL OF
CLASS AND PAGA ACTION
SETTLEMENT**

**Complaint Filed: April 13, 2023
Trial Date: None Set**

I, MARK FRANKLIN, hereby declare under penalty of perjury as follows:

1. I have personal knowledge of all matters stated herein, and if called as a witness, I could and would competently testify thereto, except as to those matters stated upon information and belief, and as to those matters, I believe them to be true.
2. I am the named Plaintiff and class representative in the above-captioned lawsuit, and I submit this declaration in support of settlement approval.
3. I worked for Desert Haven Enterprises (“Desert Haven”) as a non-exempt, hourly employee in the State of California from approximately July 27, 2012, to approximately May 19, 2022.
4. I brought this action to redress certain employment claims that I had against Desert Haven. On approximately April 13, 2023, I brought this lawsuit.
5. I had many meetings and conversations with my attorneys about my experience working for Desert Haven.
6. Since becoming a class representative, I diligently worked on this case.
7. Throughout the case, I regularly talked with my attorneys. I always answered phone calls from my attorneys or called them back promptly when they called. I also promptly responded to emails sent by my attorneys. On many occasions, I spoke with my attorneys for case related purposes.
8. I assisted my attorneys in investigating the case. I have worked diligently to help progress the case. I have spent numerous hours on this case.
9. I was aware that, at some point in this case, I would have my deposition taken. I knew that the deposition could take a full day and that I may have to meet with my attorneys prior to my deposition. I was at all times ready and willing to sit for my deposition.
10. Although I did not attend the mediation in person, I was available by phone during the mediation. I gave my consent to settle with Desert Haven for the gross settlement amount of \$1,750,000. I completely and carefully reviewed the memorandum of understanding and settlement agreement. I then signed the memorandum of understanding and settlement agreement.

1 11. In light of the work I performed in this case and the duties associated with being a class
2 representative in a case of this magnitude, I believe the \$15,000 service payment award is
3 reasonable. I understand that this additional service award is not guaranteed and is subject
4 to Court approval.

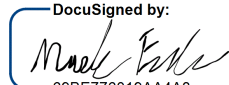
5 12. I have and will continue to adequately represent all of the interests of the class. With my
6 status as class representative, I will treat the interests of the Class above my interests.

7 13. My claims are typical of the Class Members because I am similarly situated to all non-
8 exempt, hourly employees of Desert Haven in the State of California from April 13, 2019
9 through June 1, 2024. Thus, my interests are the same as all members of the proposed
10 Class.

11 14. I recognize that any resolution of this matter must be approved by the Court in terms of
12 whether the settlement is fair and reasonable, and that I am obligated to protect the
13 interests of all of Class Members for the Class Period.

14 I declare under penalty of perjury under the laws of the State of California that all the
15 foregoing is true and correct.

16 Dated: 10/3/2024

17 By: 
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