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Attorneys for Plaintiff JOHN A. MCGEHEE,

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN**

SOMALIA GOODWIN and JOHN A.
MCGEHEE, On behalf of the general public as
private attorney general,

Plaintiff,

v.

SAVE MART SUPERMARKETS, LLC, a
California Limited Liability Company; and
DOES 1-100, inclusive,
Defendants.

Case No.: (Lead) STK-CV-UOE-2023-2062;
SCV-273343 (MCGEHEE class action) filed
in Sonoma county; SCV-273793 (MCGEHEE
PAGA action) filed in Sonoma county

**DECLARATION OF PLAINTIFF JOHN A.
MCGEHEE IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

DECLARATION OF JOHN A. MCGEHEE

I, John A. McGehee, declare as follows:

1. I am over the age of eighteen. I submit this Declaration in support of the Motion for Preliminary Approval of the Class Action Settlement. The following is based upon my personal knowledge, and if called as a witness, I could and would competently testify regarding the statements in this Declaration

2. I was employed by Defendant Save Mart Supermarkets, LLC ("Defendant"), as a non-exempt employee in approximately July 2021, and worked during the liability period for Defendant until my separation from Defendant's employ in approximately May 25, 2022.

3. Prior to filing this lawsuit, I searched for an attorney and found James Hawkins, APLC. I never knew James Hawkins, APLC before my consultation with them. After my consultation, I asked them to represent me in bringing a Class Action against Defendants, as well as a representative PAGA action on behalf of myself and all other similarly situated non-exempt employees of Defendants.

4. I knew the alleged Labor Code violations complained of in the Complaints not only happened to me, but happened to the other employees of Defendant that I worked with. I wanted to help the other non-exempt workers vindicate their rights, so I agreed to represent all other similarly situated exempt and non-exempt employees who worked for Defendants in California, and to obtain relief for the Class Members and Aggrieved Employees.

5. I believe my situation is similar and has been similar to all other non-exempt employees like me. I suffered the same damages as other employees, including: not being paid all wages, including overtime wages; not provided with meal and rest periods; not timely paid all wages earned and owed upon separation from Defendant's employ; not provided accurate itemized wage statements; not provided with business expenses reimbursements; not properly paid vested vacation pay; and not paid reporting time pay.

6. I believe that my interests have been and continue to be in alignment with the Class Members and Allegedly Aggrieved Employees, and I am willing to continue to pursue and prosecute their representative claims against Defendant in this litigation. I believe I do not have

1 any interests which are against the interests of the Class Members or Allegedly Aggrieved
2 Employees, and I will continue to do what is best for all rather than myself, as I have done from
3 the beginning of this case.

4 7. My relationship with James Hawkins, APLC is purely an attorney client
5 relationship and there are no other business, familial or social relationships between my attorney
6 and myself. In addition, I do not have any relationship with Defendants other than being a former
7 employee of Defendants. For these reasons, there is no conflict of interest between myself, my
8 attorney, between Defendant, and myself or between the Allegedly Aggrieved Employees, Class
9 Members, and myself.

10 8. Since I agreed to become a Class Representative, I have worked every step of the
11 way with my attorneys. During the course of the litigation, I have always kept the best interest of
12 the Class Members on equal footing as mine. I have been, and I am willing to continue to pursue
13 the Class Members' claims vigorously on our collective behalf if the Settlement is not finally
14 approved. As a result, I firmly believe that I do not have any interests adverse to the interests of
15 the Class Members. I have maintained the Class Members best interest from the inception of the
16 case.

17 9. As the PAGA Representatives in this case, I participated in every aspect of the
18 litigation and have been apprised of its progress. I believe I have maintained the best interests of
19 the Allegedly Aggrieved Employees while performing my PAGA Representative duties. I have
20 participated in many interviews and conferences with my counsel regarding the conduct and
21 settlement of this matter.

22 10. My counsel has informed me that this information, along with the details and
23 support I provided for the claims alleged in this matter, were very important in convincing
24 Defendant to negotiate the settlement now before the Court for approval. I have also provided
25 many documents to my counsel in support of my claims, have helped my attorneys with preparing
26 written questions and what documents to ask for, and I have invested a lot of time and effort in
27 performing my duties on behalf of the Allegedly Aggrieved Employees. I also conducted
28 numerous meetings with my counsel to prepare for and discuss Defendants' information requests

relating to formal discovery and in advance of the mediation. I also participated in an all-day mediation of my case.

11. I also understand my counsel will request that I be awarded an Enhancement Award Payment of \$10,000.00 for my efforts as a Class and PAGA Representative, and that this additional payment is not guaranteed, but must be approved by the Court. I believe the requested enhancement payment is fair and reasonable based upon the results we have achieved for the Class Members and Allegedly Aggrieved Employees and because of the tasks I have performed on their behalf, including:

- Compilation of many documents for my attorneys;
- Review of many documents with my attorneys;
- Conducting preparation with my attorneys and participating in responding to information for mediation and to informal discovery requests;
- Several telephone conferences with my attorneys and their representatives;
- Participation in the full-day mediation and in the approval settlement process;

12. I estimate that I have spent approximately 40 hours helping to prosecute this matter.

13. I also believe the requested enhancement payment is fair and reasonable because my decision to accept the risk of being a Class and PAGA Representative in a Class and PAGA action under the Labor Code may affect my future ability to get other jobs in this industry. I also understood and accepted the risk of potentially being liable for the opposing parties' costs and attorneys' fees if I was unsuccessful in this lawsuit. I voluntarily assumed these real and large risks and the case would not have been brought without me and the other class members. I believe the Class Members and Allegedly Aggrieved Employees will receive a good benefit by resolving their claims against Defendants under the terms of the settlement.

14. I declare under penalty of perjury under the laws of California that the foregoing is true and correct. Executed on this December 30, 2024 at Santa Rosa, California.


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JOHN A. MCGEHEE