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Attorneys for Plaintiff DANIELLA MARQUEZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

DANIELLA MARQUEZ, as an individual
on behalf of herself and on behalf of all
others similarly situated,

Plaintiff,

vs.

S & G DISCOUNT OUTLET, INC., a
California Corporation; and DOES 1-100,
inclusive,

Defendants.

Case No.: Case No.: 23CV005687

Assigned for All Purposes to:
Hon. Hon. Jill H. Talley
Dept. 23

**DECLARATION OF DANIELLA
MARQUEZ**

Date: July 19, 2024
Time: 9:00 a.m.
Dept. 23

Reservation No.: A-05687-001

1 I, DANIELLA MARQUEZ, declare as follows:

2 1. I am an adult over the age of eighteen (18) years old. I am a plaintiff in the
3 above-captioned lawsuit. I have personal knowledge of the facts set forth in this declaration. I
4 make this declaration in support of Plaintiff's Motion for Final Approval of Class Action
5 Settlement.

6 2. I worked for defendant S&G as a non-exempt customer service assistant from
7 January 28, 2023 to June 30, 2023, and I worked out of the S&G Rancho Cordova location. I
8 typically worked at least 8 hours per day, 5 days per week. While I worked there I don't think I
9 was paid correctly for all hours that I worked, as I would lose several minutes getting to the time
10 clock each day, while turning in a company supplied phone after a shift, and when I was
11 contacted at home by supervisors or co-workers about work issues. I also don't think I got
12 proper lunch breaks and rest breaks, and I had to use my own phone on company business and I
13 never received any reimbursement for that.

14 3. I decided to file this lawsuit because I did not feel that I was treated fairly as an
15 employee of Defendant, especially with regard to me not receiving all of the pay I believe I
16 earned, and for not getting all of my lunches and other breaks or getting any phone
17 reimbursement.

18 4. It is my understanding this lawsuit could not have been prosecuted or settled on
19 behalf of the Class unless I or some other current or former employee decided to serve as a
20 named plaintiff and proposed class representative. In deciding to serve as a named plaintiff and
21 proposed class representative in this case, I understood that my name could be publicly attached
22 to this lawsuit and that my work experiences to some extent would be set forth in a public court
23 file. I recognized I would need to devote a certain amount of time that I could have spent
24 otherwise. I also recognized my bringing the lawsuit carried some degree of risk for defendant's
25 legal costs among other things. Despite this, I decided to serve as the named plaintiff and
26 proposed class representative, without any promise of recovery or compensation.

27 5. I am familiar with the work involved in prosecuting this case. I have participated
28 in meetings, phone calls, and other communications with my lawyers regarding this case. I am

1 familiar with the allegations and defenses of the claims in this case. I am familiar with the major
2 events in this case, including the investigation performed by my lawyers, the mediation with
3 Defendant that resulted in this settlement, and the preparation of settlement papers and the need
4 to obtain court approval of the proposed settlement. I participated in the litigation and provided
5 my lawyers with information and documents regarding my employment with Defendant.

6 6. I believe that the proposed class-wide settlement obtained on behalf of the Class
7 and other aggrieved employees is excellent in view of the issues and risks involved with the
8 case.

9 7. I believe I have fulfilled my duties as a proposed class representative, which
10 required a significant amount of time and effort during the course of this case. These efforts
11 required dedicating numerous hours to lawsuit activities including, but not limited to: (a)
12 communicating with my attorneys to stay informed of ongoing developments in the case and to
13 discuss the proposed settlement ultimately negotiated; (b) searching for and providing
14 documents and other materials relating to my work experience; (c) responding to requests for
15 information relating to my work experience; and (d) reviewing filings and key documents
16 including drafts of the complaint and the settlement agreement. These tasks required my
17 dedication of at least 20 hours of my time, which time I honestly could have spent on family,
18 personal time, or work. My understanding is that future tasks may require several more hours of
19 my time. Further, at all times I was ready, willing and able to testify at deposition and/or trial. I
20 believe I have been diligent and that I have acted above and beyond that of which is expected of
21 a named plaintiff and proposed class representative to date and will continue to do so. To the
22 best of my knowledge I have not conflicts of interest of any kind with any other class member.

23 8. It is my opinion that \$5,000.00 is a fair and adequate award for my service as the
24 named plaintiff and proposed Class Representative, and in consideration for my general release
25 of all claims against Defendant. I believe that amount is fair and reasonable in view of the work
26 I have and will continue to perform on behalf of the Class. I believe that my role as the class
27 representative in this lawsuit has resulted in a valuable benefit to the Class Members, and I
28 accepted the potential risk of being liable for the opposing parties' costs if we were unsuccessful

1 in this lawsuit. I believed in this case, so I was willing to be the named plaintiff and proposed
2 class representative to risk this and pursue this class action litigation. I also accepted the risk
3 that news of this lawsuit could also potentially impact my ability to secure other work.

4 9. Based on the time, service, risk, stress, potential stigma, loss of benefits and
5 excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

6 I declare under penalty of perjury under the laws of California that the foregoing is true
7 and correct. Executed on 06 / 17 / 2024, at Sacramento, California.
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