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Attorneys for Plaintiffs Virginia Brew, Tony Grosbeier, Courtney Tolbert, D C Snyder, and Timothy Mellen

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN MATEO

VIRGINIA BREW, TONY GROSBEIER,
COURTNEY TOLBERT, D C SNYDER,
AND TIMOTHY MELLEN on behalf of
themselves and all similarly situated persons,
and the general public,

Plaintiffs,

vs.

ROCKET MORTGAGE, LLC.; and DOES 1
through 25, inclusive,

Defendants.

CASE NO. 24-CIV-00893

*[Assigned for all purposes to the
Honorable Nancy L. Fineman, Dept. 4]*

**DECLARATION OF TIMOTHY MELLEN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT;
CLASS REPRESENTATIVE
ENHANCEMENT AWARDS;
SETTLEMENT ADMINISTRATOR'S
EXPENSES; ATTORNEYS' FEES AND
COSTS; AND JUDGMENT THEREON**

Hearing Date: February 4, 2025

Time: 2:00 p.m.

Dept: 4

DECLARATION OF TIMOTHY MELLEN

I, TIMOTHY MELLEN, declare that:

1. I am a competent adult, over the age of eighteen (18) and am a plaintiff and class representative in the above-entitled action. I have personal knowledge of the facts stated herein except as to those matters stated upon information or belief, and, as to those matters, I believe them to be true. If called as a witness, I could and would testify truthfully and competently to the matters stated herein. Capitalized terms used but not defined in this declaration have the same definition as used in the accompanying Motion for Final Approval and Application for Attorneys' Fees and Costs.

2. I was employed by Rocket Mortgage LLC from February 11, 2022 to June 29, 2023.

3. In or around November 29, 2023, I also retained attorneys Matthew Righetti and John Glugoski of Righetti Glugoski, P.C. and Reuben D. Nathan of Nathan & Associates, APC to represent my interests in the Action.

4. On February 15, 2024, I filed a PAGA-only styled action entitled *Brew, et al. v. Rocket Mortgage, et al.* Case No. 24-CIV-00893 in the San Mateo Superior Court.

5. On June 11, 2024, a First Amended Complaint in this action was filed by my attorneys on behalf of myself, Courtney Tolbert, Virginia Brew, Tony Grosbeier, and D C Snyder. The purpose of the lawsuit is to recover unpaid wages, including minimum wage, overtime, reimbursement of business expenses, pay premiums for meal and rest break violations, unlawfully deducted wages, waiting time penalties, penalties for inaccurate wage statements, and penalties for the labor code violations.

6. Throughout the case, I have been actively involved in pursuing information that could support the case, and ultimately, I believe my efforts helped the Class Members. My efforts included my initial consultation with my attorneys, searching and locating documents, reviewing documents securing participation of additional class members, maintaining regular contact with my attorneys, and reviewing all relevant information and documentation provided to me by my attorneys.

7. As discussed below, I request that the Court award me a Class Representative service Payment of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00) and Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00) in exchange for a general release.

1 8. I believe this amount is justified by my expenditure of time, and the personal risk I
2 assumed. I suffered risks to future employment by filing this case. I understand from my attorneys
3 the the excellent results in this case are unusual compared to most class cases, which I believe also
4 supports my service award.

5 9. During my employment with Defendants, I was not provided lawful meal periods and
6 rest breaks or compensation in lieu of, I was not provided itemized accurate wage statements, I was
7 not reimbursed for business expenses, I was not provided the lawful minimum wage and overtime
8 wages owed to me, unlawful deductions were made from my wages, I was not paid all wages owed
9 to me upon my separation of employment, and I am owed penalties under the labor code. The Class
10 Members suffered the same or substantially similar injuries as me.

11 10. From November 29, 2023 to the present date, I have spent close to 30 hours on this
12 case. This includes speaking with counsel for several hours hours regarding the case. I also spent
13 approximately 6 hours searching for documents in my residence, on my computer and in my e-mail
14 and reviewed them to see if they discussed aspects about the policeis and procedures that I was
15 complaining about as well as proof of potential uncompensated time and unpaid commissions. I spent
16 8.5 hours attending and participating in the mediation. I spent a total of 5-6 hours trying to contact
17 other potential employees and/or answering inquiries from co-workers about the case. I spent 1.5 hours
18 reading over the MOU and consulting with my attorneys and then executed the MOU. I received the
19 long form settlement agreement from my attorneys. I spent 2.5 hours reading over the settlement
20 agreement and consulted with my attorneys and executed the agreement. While my attorneys were
21 preparing the Motion for Preliminary Approval, they called me several times to confirm certain
22 information and have me locate documents to support the motion which took 2 hours. In addition, I
23 spent an additional 2.5 hours reviewing my files and preparing this declaration.

24 11. Given the time spent bringing and prosecuting the case, I believe an enhancement
25 award of \$2,500.00 is reasonable given the results. I also believe an additional \$2,500.00 (\$5,000.00
26 total) is appropriate since I am agreeing to enter into a general release of any claims I might have
27 against Defendant whether known or unknown at this time.

28 I declare under penalty of perjury under the laws of the State of California and the United

1 States of America that the foregoing is true and correct.

2 Executed on December 12, 2024, at St. Nampa, Idaho.

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Signed by:

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Timothy Mellen