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Attorneys for Plaintiff ANTHONY AFFATATO
individually and on behalf of similarly situated employees

SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF PLACER

ANTHONY AFFATATO, individually and on
behalf of all other similarly situated
employees,

Plaintiff,

vs.

SIERRA VIEW COUNTRY CLUB, a
California Corporation; SIERRA VIEW
LAND COMPANY, a California Corporation;
and DOES 1 to 100, inclusive,

Defendant.

Case No. S-CV-0050664

CLASS ACTION

**DECLARATION OF ANTHONY AFFATATO
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA SETTLEMENT**

Date: September 12, 2024

Time: 8:30 a.m.

Dept.: 3

Judge: Hon. Michael Jones

Filed: June 13, 2023

FAC Filed: September 7, 2023

SAC Filed: June 17, 2024

Trial Date: None Set

1 I, Anthony Affatato, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this
3 declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in support
4 of Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement.

5 2. I worked for Defendant Sierra View Land Company dba Sierra View Country Club
6 ("Defendant") from approximately August 13, 2003, to January 31, 2023, as a non-exempt employee. I
7 was subject to all of Defendant's policies and practices that have been alleged as unlawful in the
8 Complaint and the notice sent to the Labor and Workforce Development Agency, including the
9 following: failure to pay overtime wages, failure to pay minimum wages, meal period violations, rest
10 period violations, failure to provide accurate wage statements, failure to timely pay final wages, failure
11 to reimburse expenses, and unfair competition.

12 3. I have actively participated in the litigation of this case for the benefit of all Class
13 Members. Prior to obtaining an attorney, I performed several hours of research trying to find a quality
14 attorney to handle the claims. I also performed several hours of research on the potential claims, so I
15 could be sure I could have an informed discussion with the attorneys about the claims and have a better
16 idea of what to expect in litigation and how to help the case proceed. After securing Shimoda &
17 Rodriguez Law, PC, I continued to be actively involved in the case to help ensure a positive outcome.

18 4. My attorneys explained to me the risks and benefits of bringing a class action and a
19 claim under the Private Attorneys General Act ("PAGA"). I understood that pursuing the case as a
20 class and PAGA action meant that it would take substantially longer than pursuing these wage and hour
21 claims individually, whether in Court or with the California Labor Commissioner, and that I risked
22 getting nothing in the end, but I believed it was important to make sure that Defendant followed the law
23 for everyone. I understood that I took on the risk, both professionally and financially, in pursuing the
24 case as a class and PAGA action, including the risk of having to pay Defendant's costs if we were
25 unsuccessful in bringing our claims.

26 5. During the course of this litigation, I have given detailed accounts of all the facts related
27 to my employment. I provided my attorneys with extensive documentation that I believe supported the
28 claims brought against Defendant. I met with and assisted my attorneys in understanding these

1 documents and providing context for Defendant's payroll process as it applied to me and how I
2 believed it applied to Defendant's other employees. I worked there for twenty (20) years, which I
3 believe enabled me to discuss the similarities of the wage and hour policies and practices among all
4 Class Members.

5 6. The work I performed for this case included an extensive review of documents and
6 payroll practices to show and explain to my attorneys what was happening and why I thought it was
7 unlawful. I provided my attorneys with timesheets, paystubs, policies, related to the wage and hour
8 claims of this case. I also explained the job duties of the various positions held by class members, the
9 type of tasks and work performed, how these raised wage and hour issues, estimates of the total number
10 of class members for each position, typical schedules, and the policies of the Defendant and how they
11 affected myself and class members. I helped review and explain to my attorney's different documents
12 such as payroll documents, paystubs and payroll records, payroll policies, meal and rest period policies,
13 timecards, and Defendant's practices of such policies. I believe this was very important as it helped not
14 only the claims of failure to pay minimum wages, failure to pay overtime, and failure to provide meal
15 and rest periods, but also claims related to waiting time penalties and failure to provide accurate wage
16 statements. The review became even more detailed when my attorneys asked me questions about the
17 payroll data sample that was produced as part of informal discovery to engage in mediation. I also
18 spent time finding witnesses for this case. Overall, I have spent an enormous amount of time assisting
19 in the prosecution of this case. I estimate I have spent between 160 to 200 hours on the case so far.

20 7. I participated in the negotiations and settlement discussions in this case, including
21 participating in mediation by phone, speaking with my attorneys to answer questions, provide any
22 additional information needed to assist the negotiations, and discussing the potential terms of the
23 Agreement to evaluate its adequacy. Throughout the course of this litigation I have asked questions
24 when I needed clarification about various aspects of this case to make sure there were continually steps
25 taken to advance the interests of Class Members.

26 8. Although I have already spent a substantial amount of time on this case and assisting my
27 attorneys, I expect the amount of time I spend on this case will increase if preliminary approval is
28

1 granted because Class Members will likely reach out to me about the Settlement and the process for
2 receiving payment.

3 9. I have experienced substantial burdens because of filing the lawsuit that other Class
4 Members were not subject to. For example, in bringing the lawsuit, I assumed the risk of having to pay
5 Defendant's costs if the Court or jury rules against us on the claims. My understanding is that this is a
6 substantial risk because the costs associated with litigation, in general, are very high and this cost is
7 multiplied many times over in complex litigation like class actions. I have spent a substantial amount
8 of time in this case, securing a monetary benefit for many individuals who have not had to do anything
9 whatsoever to have the opportunity to receive it. Rather than spend this time with friends and family, I
10 have spent this time for the benefit of Class Members. Finally, as part of the Settlement, I am the only
11 individual providing a general release of all my individual claims and waiving the protections of
12 California Civil Code section 1542 for unknown claims. No other Class Member is subject to such a
13 broad release.

14 10. I have reviewed the final Joint Stipulation of Class Action and PAGA Settlement and
15 Release, discussed the terms with my attorney, and asked my attorney any questions I had. I believe
16 the terms of the Settlement and allocations are fair and reasonable given the facts of the case.

17 11. I understand that any Class Representative Enhancement Payment I may receive is for
18 my participation as a Class Representative and it is not contingent on my support or approval of the
19 Agreement.

20 I declare under penalty of perjury under the laws of the State of California that the foregoing is
21 true and correct. Executed on August 19, 2024, in Citrus Heights, California.

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Anthony Affatato (Aug 19, 2024 11:58 PDT)

Anthony Affatato