

Kane Moon (SBN 249834)
E-mail: kmoon@moonlawgroup.com
Lilit Ter-Astvatsatryan (SBN 320389)
E-mail: lilit@moonlawgroup.com
Nichelle Christopherson (SBN 349221)
E-mail: nchristopherson@moonlawgroup.com
MOON LAW GROUP, PC
725 S. Figueroa St., 31st Floor
Los Angeles, CA 90017
Telephone: (213) 232-3128
Facsimile: (213) 232-3125

Attorneys for Plaintiff JUAN MARCHELL KING

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

JUAN MARCHELL KING, individually, and on
behalf of all others similarly situated,

Plaintiff,

vs.

LOS ANGELES REGIONAL FOOD BANK, a
California corporation; and DOES 1 through 10,
inclusive,

Defendants

Case No.: 23STCV17761

*[Assigned for all purposes to the Honorable
Lawrence P. Riff, Dept. 7]*

**DECLARATION OF JUAN MARCHELL
KING IN SUPPORT OF APPROVAL OF
CLASS AND PAGA ACTION
SETTLEMENT**

*[Filed with the Notice and Motion for Preliminary
Approval of Class Action and PAGA Settlement;
Declaration of Kane Moon; and [Proposed]
Preliminary Approval Order]*

PRELIMINARY APPROVAL HEARING:

Date: November 22, 2024
Time: 10:00 am
Dept.: 7

Action Filed: July 27, 2023
FAC Filed: October 31, 2023
Trial Date: Not Set

DECLARATION OF JUAN MARCHELL KING

I, JUAN MARCHELL KING, declare as follows:

1. I am the named Plaintiff in this case. I am a former employee of Defendant LOS ANGELES REGIONAL FOOD BANK (“Defendant”). As such, I have personal knowledge of, or am informed and believe, the following facts herein stated. If called as a witness, I could and would testify competently to the following:

BACKGROUND OF EMPLOYMENT

2. I worked for Defendant as a forklift operator from approximately May 2016 to August 2022. Throughout my employment, I typically worked five days each workweek and roughly eight or more hours each workday.

3. During my employment with Defendant, I realized that their wage and hour practices placed employees, including me, at a disadvantage. For example, I was required to complete specific work-related tasks before clocking in, and I was not compensated for that time. Additionally, I was frequently unable to take uninterrupted meal and rest breaks at the required times, and my employer did not permit me to leave the premises during my rest periods.

DUTIES OF A CLASS REPRESENTATIVE

4. This lawsuit is not an individual lawsuit. It is a proposed class action. I understand that, if approved as a class representative in this matter, I have an obligation to do my best to look out for the interests of other class members, the current and former employees of Defendant who I am seeking to represent. I understand that my obligations to the class exist even when the class is certified solely as part of a class action settlement. It is my understanding that, as one part of this duty to the class, I cannot agree to a settlement to benefit myself to the exclusion of the rest of the class members. I have never asked my attorneys to simply settle this matter at any cost. Rather, I have asked them to obtain the best settlement they could within reason, and I believe that they have attempted to do so.

5. This case was filed over one year ago. I have never asked to be relieved from my role as a proposed class representative. To the contrary, I have made myself available whenever my attorneys wanted to discuss aspects of my employment with Defendant, and I remain committed to seeing this

1 matter through to the end.

2 6. I have conferred with my attorneys about the settlement proposed in this case. I am not
3 an accountant, but I understand the factors and risks that need to be considered when evaluating a
4 settlement.

5 7. Summing it all up in the simplest terms, I am asking to stand-in for other employees of
6 Los Angeles Regional Food Bank. Because of that, I cannot quit on the Class, and I cannot put myself
7 and my interests before the Class. I accept these duties and request that I be approved as the class
8 representative for purposes of this amended Settlement.

9 COMMUNITY OF INTEREST: TYPICALITY AND ADEQUACY

10 8. I was an hourly non-exempt employee of Defendant and was subject to the same pay
11 structure and rules as all the other hourly non-exempt employees of Defendant.

12 9. I am not aware of anything special about me that would raise unique defenses to my claims,
13 as opposed to the claims of the class. I am also not suing for anything unique to me. Rather, my claims
14 are based upon the same facts that relate to the rest of the Class.

15 10. I do not believe that I have any conflicts with Class Members included in this proposed
16 Settlement. I do not have any intention to take any action that would place me in a position that is hostile
17 to other Class Members.

18 SERVICE AS A CLASS REPRESENTATIVE

19 11. I believe that were it not for my stepping forward and taking on the duties of protecting
20 the interests of other employees, it is likely that the interests of the class would neither have been
21 prosecuted, nor benefited. To my knowledge, other than the litigation encompassed by this proposed
22 Settlement, there is no other litigation, on a class or individual basis, concerning the claims in this lawsuit.
23 Nor has Defendant pointed to any.

24 12. I have assumed some long-lasting risk in prosecuting this case. Because it is so easy to
25 search for information online these days, I will face an increased risk that future employers will discover
26 information about this lawsuit online and have a negative reaction to learning that I sued an employer.
27 This may make it harder for me to obtain future employment or change jobs for a better opportunity.
28

13. I have devoted a substantial amount of my time, both before this lawsuit was filed and also during its litigation to ensure a fair result for the employee class. This involved ongoing communications and participation with my counsel during the course of this case.

14. My participation began with bringing certain issues that are involved in this matter to my counsel's attention, and explaining the factual background that was used to prosecute the claims in this case.

15. For example, I reviewed documents which I already had, I provided relevant documents to my counsel, and I explained those documents and related facts to my counsel to assist them in their review. I also assisted in identifying potential witnesses, including other employees, who might likewise have been of assistance.

16. My efforts continued after suit was filed. I also discussed strategy with my counsel.

17. I also participated in the full day mediation.

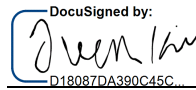
18. After the mediation, a long-form settlement agreement was negotiated, and I reviewed it with my attorneys as well as I was able to ensure that its terms are likewise fair and adequate.

19. In sum, I believe I have provided well over 30 hours of my time during the course of this litigation to ensure a good outcome for the best interests of the class.

20. I do not believe that I have any conflicts with Class Members included in this proposed Settlement.

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

Executed this September 27, 2024 at Los Angeles, California.

DocuSigned by:

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Juan Marchell King, "Declarant"