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Attorneys for Plaintiff JOSE PADILLA

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

JEREMY BURKETT, SHANNON
ELLIOTT, individually and on behalf of
all similarly situated individuals,

Plaintiffs,

v.

WEHO HOSPITALITY SUNSET, LLC;
and DOES 1 to 100,

Defendants.

Case No.: 23STCV01072
[related to case nos. 23STCV21589;
23STCV27018]

Honorable William F. Highberger
Spring Street Department 10

**DECLARATION OF PLAINTIFF
JOSE PADILLA IN SUPPORT OF
MOTION FOR APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date:
Time:
Dept: 10

Complaint Filed: January 17, 2023
FAC Filed: May 15, 2023
Trial Date: Not Set

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1. I am over the age of eighteen (18) and a resident of the State of California. I am the named plaintiff in the case entitled *Jose Padilla v. Tao Group, LLC, et al.* (Los Angeles Superior Court Case Nos. 23STCV21589 and 23STCV27018), which have been related to the above-captioned action. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

3. Because I thought the practices at Defendants may not be lawful, I decided to seek legal advice about my work experiences at Defendants and about filing a lawsuit to obtain relief for my grievances. I contacted Blackstone Law, APC and spoke with their attorneys. I wanted to take steps to make sure Defendants were held accountable for not properly compensating their employees for all hours worked and for non-compliant meal and rest breaks. After speaking with the attorneys, I also investigated class and representative action lawsuits on my own. Thereafter, I further consulted with the attorneys at Blackstone Law, APC about my situation, class actions, representative action lawsuits under the Private Attorneys General Act (“PAGA”), and what it meant to bring a class and PAGA action so that I understood what I was considering doing.

5. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained. I made myself available to answer any questions my attorneys had about Defendants' practices and treatment of their

1 employees whenever they needed me. I responded to my attorneys as quickly as possible and gave
2 them as much information as I could.

3 6. I understood that in the event this matter did not settle and proceeded with trial, I would
4 need to be in court to participate in the trial. I was ready to perform that role, as well as fulfill any
5 responsibilities that are necessary for this lawsuit.

6 7. I know that I took a sizeable risk by bringing and pursuing this lawsuit for several
7 reasons. First, I understood that if I lost, I would potentially have to pay the costs in the lawsuit. I
8 also understood there was a risk of losing any job and/or income due to the time that I would have to
9 spend fulfilling my responsibilities in this matter, including having to attend the trial, if needed. Most
10 importantly, I believe that by pursuing this case, I have taken a significant risk because future
11 employers can easily find out that I sued my prior employer, and that may negatively impact my ability
12 to find employment within this industry – and even outside of it – in the future. In contrast, the other
13 employees who will be receiving money from this lawsuit did not have to file a claim or take the risk
14 that I took in bringing this action.

15 8. I reviewed the settlement agreement, discussed the settlement agreement with my
16 attorneys, and asked them questions before signing it.

17 9. I believe that I have done everything that my attorneys have asked of me and tried, to
18 the best of my ability, to seek relief for the Class, the PAGA Employees, and the State of California.
19 I have spent approximately 45-50 hours participating in this case as described above. I believe my
20 efforts helped get the result obtained in this case.

21 10. I understand that any resolution of this lawsuit on a class wide basis is subject to court
22 approval, and any settlement must be designed in the best interest of the Class as a whole. At all times
23 throughout the course of this litigation I have considered the interests of the Class and put them before
24 my own personal interests.

25 11. I understand that incentive or enhancement awards are discretionary and intended to
26 compensate named plaintiffs for: the quality and quantity of the work done on behalf of the class and
27 other employees, the financial and/or reputational risk undertaken in bringing the class and/or PAGA
28 action, and an acknowledgment of the benefits resulting from the representative's actions. I believe

1 my work in this matter is meritorious on these points for the reasons set forth above.

2 12. I respectfully request that the Court approve and award me a Class Representative
3 Service Payment in the amount of \$7,500 for my efforts and active participation in the case and for
4 the broader, general release of all claims that I have or may have against Defendants in connection
5 with the settlement. Taking into consideration the time that I dedicated to this case, I believe that this
6 amount is reasonable.

7 13. I understand that Blackstone Law, APC and Frontier Law Center will share the
8 attorneys' fees in this matter. I agreed to this in writing. I understand that the amount of attorneys'
9 fees will not increase as a result of this fee sharing.

10 14. I am not related to anyone associated with Blackstone Law, APC or Frontier Law
11 Center.

12 I declare under penalty of perjury under the laws of the State of California that the foregoing
13 is true and correct. Executed on 04/09/2025, at Los Angeles, California.

14 *Jose Padilla*
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