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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**
10

11 JUNG HO LEE, an individual and on behalf of
all others similarly situated;

12 Plaintiff,

13 vs.
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15 VIZIO SERVICES, LLC, a Delaware limited
liability company; and DOES 1 through 50,

16 Defendants.
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Case No.: 23STCV24004

[Assigned for All Purposes to:
Hon. David S. Cunningham III, Dept. SS11]

**DECLARATION OF JUNG HO LEE IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

(Filed concurrently with Motion for
Preliminary Approval; Supporting
Declarations; and [Proposed] Order)

DATE: May 7, 2026
TIME: 9:00 a.m.
DEPT: 11

Action Filed: October 13, 2023
Trial Date: Not Set

1 I, Jung Ho Lee, hereby declare as follows:

2 1. I am an individual over the age of 18 year and the named Plaintiff in the above-
3 captioned matter. This declaration is submitted in support of approval of the proposed class action
4 settlement ("Settlement") reached in this case. I have personal knowledge of the facts contained in
5 this declaration, and if called as a witness, could and would testify as to their accuracy.

6 2. I was employed by Defendant VIZIO Services LLC ("Defendant") in Los Angeles,
7 California as a salaried, exempt Account Executive on its advertisement sales team from October
8 2022 to August 2023. During my employment with Defendant, I was subject to Defendant's wage
9 and hour policies and practices that are at issue in this case.

10 3. Specifically, I believe I was misclassified as an exempt employee by Defendant
11 because I did not qualify for the outside sales exemption, the inside sales exemption, or the
12 administrative exemption. I believe I did not qualify for the outside sales exemption because I
13 worked full time in the office or in my home office and only spent a few hours a week engaging
14 with clients outside of the office or home office. I believe I did not qualify for the inside sales
15 exemption because I was only paid commissions quarterly and I received a salary for all other
16 biweekly payrolls. Finally, I believe I did not qualify for the administrative exemption because I
17 was tasked with packing and selling advertisement placements to clients to be played on VIZIO's
18 smart TV platform and I had little discretion in the performance of my job duties, such as deciding
19 or negotiating pricing, all of which were based on predetermined metrics established by upper
20 management.

21 In addition to the Account Executive position I held, I believe other similar positions,
22 including Senior Account Executives, Account Managers, and Senior Account Managers were
23 similarly misclassified as exempt. Senior Account Executives and Senior Account Managers simply
24 denote longer tenure and had the same responsibilities as Account Executives and Account
25 Managers. Account Executives like me were the salespeople responsible for selling ad placements
26 and were provided with a list of clients by Defendant and a quota for sales. Once Account
27 Executives close the sale, the account is then turned over to Account Managers to service the
28 accounts. Account Managers were responsible for putting the packages together, cross referencing

1 various schedules and calendars to determine which slots were available, and ensuring that once a
2 product was purchased by a client, that such ads went live. Like me, Account Managers did not
3 have any discretion in the pricing or schedules for the ad placements.

4 4. Because I was misclassified, I regularly worked overtime for which I was not paid
5 and I was not provided any meal and rest breaks. As a result of the foregoing issues, I believe I
6 received inaccurate wage statements and was not paid all wages when my employment with
7 Defendant ended. I believe other misclassified Account Executives and Account Managers of
8 Defendant were subject to the same policies and procedures discussed above and that my claims
9 against Defendant for unpaid wages and statutory and civil penalties are typical of their claims.

10 5. In August 2023, I lodged a complaint with my managers and department head
11 regarding Defendant's alleged illegal practices, including misclassifying my employment as an
12 exempt employee. I was locked out of my computer the next evening. Two days later, on August
13 24, 2023, I received a call from Human Resources informing me that I was being terminated, even
14 though I was one of the highest performing Account Executives in the company.

15 6. I have been actively involved in this case since I first retained Justice for Workers,
16 P.C. ("JFW") in 2023. Without waiving the attorney-client privilege, prior to filing this lawsuit, my
17 attorneys explained my role and responsibilities as a Class Representative, and I understand my
18 responsibilities as a Class Representative. Since retaining my attorneys, I have had many
19 discussions and meetings with the attorneys and staff at JFW, discussions regarding Defendant's
20 wage and hour practices and my claims in this case, litigation strategy, updates on how the case was
21 proceeding, the Settlement, and how I could help the case and potential Class Members. I also
22 gathered and reviewed documents for use in the lawsuit, reviewed relevant documents with my
23 attorneys, and prepared to testify at an evidentiary hearing. I estimate that I have spent at least 40
24 hours on this case from the time I first spoke with my attorneys regarding this case until the present.
25 I also understand that as part of the Settlement, I have agreed to a general release of claims against
26 Defendant, which is broader than the release of claims agreed to by other Class Members.

27 7. Furthermore, there is no conflict between my interests and the interests of the class
28 that I am seeking to represent. My interests are entirely coextensive with the interests of the Class. I

1 allege that I was injured by the same company-wide policies and practices to which the proposed
2 Class was subjected and seek the same relief. I have already demonstrated my ability to advocate
3 for the interests of the Class by initiating this litigation, undertaking extensive class discovery, and
4 evaluating the proposed settlement to assure that it is fair.

5 8. I understood that at the time I filed this action, as a Class Representative, I owed a
6 duty to the putative class members to faithfully prosecute this action with their best interests at the
7 forefront of every decision. I understood that I could not make any decision in this action for the
8 sole benefit of my personal interest. I understood that in executing this duty, I might have been
9 asked to sacrifice my personal best interests for the benefit of the interests of the putative class
10 members. Nevertheless, I knowingly and voluntarily undertook this duty in order to provide the
11 broadest possible relief for my former co-workers for what I perceived to be Defendant's unlawful
12 wage and hour practices. I believe that I faithfully executed the duties of a Class Representative
13 throughout this litigation and will continue to do until this litigation is fully and finally resolved.

14 9. I understand that my attorneys will request that the Court approve a service award
15 of \$20,000.00 for my efforts on behalf of the Class. I believe this amount is reasonable based on the
16 amount of time and effort I have devoted to this case, the risks I have undertaken as a Class
17 Representative, and my general release of claims, as described above. My support for the Settlement
18 is not contingent on my receiving this service award.

19 10. I do not have any conflict of interest with the proposed Administrator, Phoenix
20 Settlement Administrators.

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

23 Executed on March 13, 2026 at Los Angeles, California.

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Jung Ho Lee