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Attorneys for Plaintiff SITARA NAYABKHIL,
individually, and on behalf of other members of
the general public similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

SITARA NAYABKHIL, individually, and on
behalf of other members of the general public
similarly situated,

Plaintiffs,

vs.

SAN FRANCISCO SPCA, dba, SFSPCA, a
California 501(c)(3) non-profit organization;
DOES 1 through 25, inclusive,

Defendants.

Case No.: CGC-23-609950

*Assigned for All Purposes to the Honorable
Andrew Y.S. Cheng, Dept. 613*

**DECLARATION OF PLAINTIFF SITARA
NAYABKHIL IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT, ATTORNEYS' FEES
AND COSTS, ENHANCEMENT PAYMENT,
AND SETTLEMENT ADMINISTRATION
COSTS**

Date: March 6, 2025
Time: 9:30 a.m.
Dept.: 606

Complaint Filed: October 24, 2023
FAC Filed: December 22, 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 above-captioned case. 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.
2. I was employed by Defendant The San Francisco Society for the Prevention of Cruelty to Animals dba San Francisco SPCA ("SF SPCA") as an hourly-paid, non-exempt employee from approximately June 2019 to approximately October 2022. I held various positions at SF SPCA, with my most recent title being Inpatient Services Coordinator.
3. Because I thought the practices at SF SPCA may not be lawful, I decided to seek legal advice about my work experiences at SF SPCA 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 SF SPCA was held accountable for not properly compensating its employees for all hours worked and for non-compliant meal and rest breaks. I 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.
4. I have regularly conferred with my attorneys regarding the case as part of my responsibilities as a class and PAGA representative. This process included searching for and providing documents concerning my employment with SF SPCA, answering any questions my attorneys had about the documents, providing information regarding the company's practices and the duties of other non-exempt employees, and helping my attorneys develop a strategy as to what additional documents and information they could seek to obtain from SF SPCA.
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 SF SPCA's practices and treatment of its employees whenever they needed me. I responded to them as quickly as possible and gave them as much information as I could.

1 6. I believe my claims are typical of the Class because SF SPCA engaged in a pattern and
2 practice of wage abuse against its hourly-paid and/or non-exempt employees, such as requiring myself
3 and the other Class Members to work off-the-clock without compensation, failing to properly pay
4 overtime wages and minimum wages for all hours worked, failing to provide all meal and rest breaks
5 to which we were entitled and failing to pay meal and rest break premiums when due, failing to timely
6 pay wages during employment and upon termination of employment, failing to provide accurate wage
7 statements, failing to pay out accrued vacation time, and failing to reimburse necessary business-
8 related expenses.

9 7. I understood that in the event this matter did not settle and proceeded with trial, I would
10 need to respond to discovery, attend a deposition, and be in court to participate in the trial. I was ready
11 to perform that role, as well as fulfill any other responsibilities that are necessary for this lawsuit.

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

21 9. I reviewed the settlement agreement, discussed the settlement agreement with my
22 attorneys, and asked them questions before signing it.

23 10. I believe that I have done everything that my attorneys have asked of me and tried, to
24 the best of my ability, to seek relief for the Class, the PAGA Employees, and the State of California.
25 In total, I have spent approximately 30 to 35 hours participating in this case as described above. I
26 believe my efforts helped get the result obtained in this case.

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1 11. I understand that any resolution of this lawsuit on a class wide basis is subject to court
2 approval, and any settlement must be designed in the best interest of the Class as a whole. At all times
3 throughout the course of this litigation I have considered the interests of the Class and put them before
4 my own personal interests. I believe I have adequately represented the Class and will continue to do
5 so throughout the course of this litigation.

6 12. I understand that incentive or enhancement awards are discretionary and intended to
7 compensate named plaintiffs for: the quality and quantity of the work done on behalf of the class and
8 other employees; the financial and/or reputational risk undertaken in bringing the class and/or PAGA
9 action, and an acknowledgment of the benefits resulting from the representative's actions. I believe
10 my work in this matter is meritorious on these points for the reasons set forth above.

11 13. I respectfully request that the Court approve and award me an Enhancement Payment
12 in the amount of \$7,500.00 for my efforts and active participation in the case and for the broader,
13 general release of all claims that I have or may have against SF SPCA in connection with the
14 settlement. Taking into consideration the time that I dedicated to this case, I believe that this amount
15 is reasonable.

16 14. I am not related to anyone associated with Blackstone Law, APC.
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18 I declare under penalty of perjury under the laws of the State of California that the foregoing
19 is true and correct. Executed on 02/03/2025 at San Francisco, California.
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22 Sitara Nayabkhil
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