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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO**

11 PAUL WILLIAMS, an individual, on behalf
12 of himself and on behalf of all persons
13 similarly situated,

14 Plaintiffs,

15 vs.

17 ZOOLOGICAL SOCIETY OF SAN DIEGO,
18 a Corporation; and DOES 1 through 50,
inclusive,

19 Defendants.

Case No.: **30-2023-00043072-CU-OE-CTL**

**DECLARATION OF PAUL WILLIAMS
IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: March 28, 2025
Hearing Time: 10:30 a.m.

Judge: Hon. Richard S. Whitney
Dept.: 68

Date Action Filed: October 4, 2023
Trial Date: Not set

28 DECLARATION OF PAUL WILLIAMS

1 I, Paul Williams, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a proposed Class Representative in the above-
3 entitled matter. I submit this declaration in support of the Motion for Preliminary Approval of
4 Class Settlement and in support of my application for a class representative service award.

5 2. I have personal knowledge of all the facts stated herein. I could and would competently
6 testify under oath to these facts in court if requested to do so.

7 3. I worked for the defendant Zoological Society of San Diego (“Zoological”) in California
8 from 1997 to August of 2023, and during that time period I was classified by Zoological as a non-
9 exempt employee.

10 4. I retained my attorneys who are experienced in both class action and PAGA representative
11 action litigation and claims against employers for violations of the California Labor Code. I have
12 no personal relationship or family ties to my attorneys or any officer of the Court. I am not aware
13 of having any actual or potential conflicts of interest with another class member in this case. I am
14 not aware of any other pending matter or action asserting claims that will be extinguished or
15 adversely affected by this settlement.

16 5. I decided to file this class action lawsuit and be a plaintiff/class representative because I
17 felt that my legal rights as an employee and others like me were violated. For example, I was
18 forced to work off the clock as I was required to arrive and walk substantial distances before
19 finding the time clock to clock-in. I was also forced to work off the clock during COVID-19, as
20 there was usually a 20–30-minute wait at the gate, which prevented me from being able to enter or
21 exit timely. Further, numerous remunerations were not incorporated into my regular rate for the
22 payment of overtime. I also did not always receive compliant meal and rest breaks which were
23 often late, short or missed entirely, and was not always paid the break penalties I was entitled to.

24 6. I spoke to my attorneys several times and discussed how Zoological implemented its
25 company policies and procedures. I also assisted my attorneys in their investigation into my
26 claims by providing them documents and answering their questions. I reviewed the complaint
27 before it was filed and was given access to an electronic file sharing program that alerted me via
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1 email when important documents were filed so that I could review them and keep up with the
2 developments in the case which I understood was one of my duties as a class representative. I
3 could also access court filings from this case on my attorney's law firm website. Also, I was
4 informed that Zoological had the right to take my deposition, and that the preparation and
5 deposition itself could take multiple days. Although my deposition was not taken, I feel I would
6 have been adequately prepared and comfortable to give testimony on my experiences.

7 7. Even though this action is in the process of settling, I was and remain prepared to perform
8 all the duties of a class representative. I understand that as a class representative I have assumed a
9 fiduciary responsibility to prosecute this class action on behalf of the absent class members. I
10 have understood that as a fiduciary, I have a duty to prosecute this action for the benefit of the
11 class members and surrender any right to compromise the group action for an individual gain.

12 8. I understood that being a plaintiff/class representative in this case meant that I was seeking
13 damages not only for myself but also other current and/or former non-exempt employees working
14 for Zoological in California who make up the class. I felt that these individuals were not aware of
15 their labor law rights and even if they were they would probably be apprehensive about speaking
16 up or even simply because of the time, effort and risk involved in filing a class action lawsuit.

17 9. I understood that being a part of this lawsuit involved risks. For example, my attorneys
18 explained to me that if the case went to trial and we lost, I could be held responsible to pay for all
19 or part of the attorney fees and costs paid by Zoological to defend this lawsuit. Also, I knew there
20 was a risk that future employers, if they ever find out about this lawsuit, could hold it against me
21 or downgrade me as a potential hire. As one of the named Plaintiffs in this case it would not be
22 difficult for a future employer to become aware that I sued a former employer for labor law
23 violations. Ultimately, I decided these risks were worth it and decided to fight for my rights and
24 the rights of others regardless of the risks, time and effort I spent on this case.

25 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also kept up
26 to date on important developments by reviewing court filings that were made available to me
27 electronically as I described above.

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1 11. A mediation took place on July 29, 2024, with Tripper Ortman, a well-respected and
2 experienced mediator of wage and hour class actions. After the mediation the parties were able to
3 come to an agreement to settle the action. I communicated with my attorneys regarding the terms
4 of the settlement which was reached between the parties and understood that I was representing
5 absent class members and therefore wanted the best possible result to be obtained for the class
6 members and I believe a very positive result was in fact achieved via settlement. I reviewed and
7 signed the Memorandum of Understanding on August 1, 2024. When the final settlement
8 agreement is ready, I intend to review it closely before signing.

9 12. I have been actively involved with this lawsuit performing the duties described above.
10 Although I did not keep time records, I was in regular contact with my attorneys, reviewed court
11 filings and spent a significant amount of time on the issues presented during the lawsuit and in the
12 settlement process. I estimate that I spent approximately 30-40 hours working on this case up
13 until this point. I believe I have been diligent and have done what is expected of a named plaintiff
14 and a proposed class representative to date, and will continue to do so. I have and always will
15 maintain the best interest of the class members.

16 13. My attorneys explained to me that the settlement process involves a two-step review by
17 the Court to determine whether the settlement is fair before approving the settlement. I know this
18 process also involves notifying all class members of the settlement terms and of their rights to
19 make a claim for their settlement share, to opt out of the settlement or to object to the settlement.

20 14. I believe I did the right thing by filing this case on behalf of the class members who,
21 subject to court approval, are in line to receive monetary payments as a result of this case and
22 settlement. This is money they may never have ever gotten if I did not pursue this action on their
23 behalf. I feel significant personal satisfaction to know that I played a role in the class members
24 being entitled to monetary payments as a result of the filing of this lawsuit. I also believe that the
25 requested class representative service award of \$10,000 from the settlement is fair compensation
26 for the work I performed and the risks I undertook.

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15. As part of the settlement, it was necessary for me to sign a general release of claims I may have against Zoological. I believe the class representative service payment I have requested provides me with some compensation for this agreed release.

16. In light of all the time and effort I have spent on this case, the risk I undertook by suing a former employer, the exposure to being responsible for paying Zoological costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, the general release and in light of the size of the settlement, I believe the request for \$10,000 as a class representative service payment is fair and reasonable.

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

Executed on Aug 5, 2024, at San Diego ca.
(city, state)


Paul Williams (Aug 5, 2024 22:29 PDT)

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