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8 Attorneys for Plaintiff VERONICA TOPETE  
on behalf of the State of California,  
9 and others similarly situated and aggrieved  
10

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **COUNTY OF SAN BERNARDINO**

13 JOSHUA WOLFE, VERONICA TOPETE,  
individually and on behalf of the State of  
14 California, and others similarly situated and  
aggrieved,  
15

16 Plaintiff,

17 v.

18 SOUTH COAST BAKING, LLC, a  
19 California Limited Liability Company;  
RISE BAKING COMPANY, LLC, a  
20 Delaware Limited Liability Company;  
RISE BAKING ARTISAN BREAD, LLC,  
21 a Delaware Limited Liability Company;  
RISE BAKING SWEET GOODS, LLC, a  
22 Delaware Limited Liability Company; and  
DOES 1-100, inclusive,  
23

24 Defendants.  
25  
26  
27  
28

Case No.: CIVSB2224856

*[Assigned for all purposes to the Hon. Jessica  
Morgan, Dept. S26]*

DECLARATION OF PLAINTIFF VERONICA  
TOPETE IN SUPPORT OF MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT

[Filed concurrently with Notice of Motion and  
Motion; Memorandum of Points & Authorities;  
Declarations of Proposed Class Counsel (Arman  
Marukyan and Michael W. Jones; Declaration of  
Proposed Class Representative (Joshua Wolfe);  
and [Proposed] Order]

Date: October 22, 2024  
Time: 8:30 a.m.  
Dept.: S26

1 I, VERONICA TOPETE, declare as follows:

2  
3 1. I am an adult over the age of eighteen (18) years old. I am a plaintiff in the above-  
4 captioned lawsuit. I have personal knowledge of the facts set forth in this declaration. I make this  
5 declaration in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement.

6 2. I worked for Defendants packaging baked goods between 2015 and March 2022. I  
7 was based out of the company's Bloomington, California location and my job duties involved  
8 packing manufactured baked goods such as cookies, breads and cakes for delivery to retail  
9 locations. While I worked there, I don't think I was paid properly for all hours that because I had  
10 to spend significant time each day putting on my protective gear and work clothes at the start of  
11 my shift, and taking off my protective gear and work clothes at the end of my shift, off the clock. I  
12 also don't think I got all the meal breaks and rest breaks I was supposed to get because, if  
13 machines broke down, we would have to attend to them regardless of whether we were supposed  
14 to take a break, and often our breaks were cut short. I also received certain bonuses regularly but  
15 these weren't taken into account for calculating my overtime pay.

16 3. I decided to file this lawsuit because I did not feel that I was treated fairly as an  
17 employee of Defendants, especially with regard to me not receiving all of the pay I believe I  
18 earned, and for not getting all of my lunches and other breaks.

19 4. It is my understanding this lawsuit could not have been prosecuted or settled on  
20 behalf of the Class of employees unless I or some other current or former employee decided to  
21 serve as a named plaintiff and proposed class representative. In deciding to serve as a named  
22 plaintiff and proposed class representative in this case, I understood that my name could be  
23 publicly attached to this lawsuit and that my work experiences to some extent would be set forth in  
24 a public court file. I recognized I would need to devote a certain amount of time that I could have  
25 spent otherwise. I also recognized my bringing the lawsuit carried some degree of risk for  
26 defendants' legal costs among other things. Despite this, I decided to serve as the named plaintiff  
27 and proposed class representative, without any promise of recovery or compensation.

28 5. I am familiar with the work involved in prosecuting this case. I have participated in  
TOPETE DECLARATION ISO MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT

1 meetings, phone calls, and other communications with my lawyers regarding this case. I am  
2 familiar with the allegations and defenses of the claims in this case. I am familiar with the major  
3 events in this case, including the investigation performed by my lawyers, the mediation with  
4 Defendants that resulted in this settlement, and the preparation of settlement papers and the need  
5 to obtain court approval of the proposed settlement. I participated in the litigation and provided  
6 my lawyers with information and documents regarding my employment with Defendants.

7         6.       I believe that the proposed class-wide settlement obtained on behalf of the Class  
8 and other aggrieved employees is excellent in view of the issues and risks involved with the case.

9         7.       I believe I have fulfilled my duties as a proposed class representative, which  
10 required a significant amount of time and effort during the course of this case. These efforts  
11 required dedicating numerous hours to lawsuit activities including, but not limited to: (a)  
12 communicating with my attorneys to stay informed of ongoing developments in the case and to  
13 discuss the proposed settlement ultimately negotiated; (b) searching for and providing documents  
14 and other materials relating to my work experience; (c) responding to requests for information  
15 relating to my work experience; and (d) reviewing filings and key documents including drafts of  
16 the complaint and the settlement agreement. These tasks required my dedication of at least 20  
17 hours of my time, which time I honestly could have spent on family, personal time, or work. My  
18 understanding is that future tasks may require several more hours of my time. Further, at all times  
19 I was ready, willing and able to testify at deposition and/or trial. I believe I have been diligent and  
20 that I have acted above and beyond that of which is expected of a named plaintiff and proposed  
21 class representative to date and will continue to do so. To the best of my knowledge I have not  
22 conflicts of interest of any kind with any other class member.

23         8.       It is my opinion that \$7,500.00 is a fair and adequate award for my service as the  
24 named plaintiff and proposed Class Representative, and in consideration for my general release of  
25 all claims against Defendants. I believe that amount is fair and reasonable in view of the work I  
26 have and will continue to perform on behalf of the Class. I believe that my role as the class  
27 representative in this lawsuit has resulted in a valuable benefit to the Class Members, and I

1 accepted the potential risk of being liable for the opposing parties' costs if we were unsuccessful  
2 in this lawsuit. I believed in this case, so I was willing to be the named plaintiff and proposed class  
3 representative to risk this and pursue this class action litigation. I also accepted the risk that news  
4 of this lawsuit could also potentially impact my ability to secure other work.

5 9. Based on the time, service, risk, stress, potential stigma, loss of benefits and  
6 excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

7 I declare under penalty of perjury under the laws of California that the foregoing is true  
8 and correct. Executed on July 3, 2024, at Bloomington, California.

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12 Veronica Topete  
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