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Attorneys for Plaintiff GABRIELA GUERRERO,
individually, and on behalf of other similarly situated employees
and aggrieved employees pursuant to the California
Private Attorneys General Act

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF KERN**

GABRIELA GUERRERO, OSMIN
CHAVARRIA MEJIA, ELMER
CHAVARRIA MEJIA, RAFAEL
MENJIVAR CASTELLANOS, individually,
and on behalf of other similarly situated
employees and aggrieved employees pursuant
to the California Private Attorneys General
Act,

Plaintiffs,

vs.

SAR CALIFORNIA HOLDCO INC. DBA
SARKU JAPAN, a California corporation;
and DOES 1 through 25, inclusive,

Defendants.

Case No.: BCV-23-104255

Honorable Thomas S. Clark
Department 17

**DECLARATION OF ELMER
CHAVARRIA MEJIA IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: March 5, 2026
Time: 8:30 a.m.
Dept.: 17
Address: 1415 Truxton Ave.
Bakersfield, CA 93301

Complaint Filed: December 26, 2023
FAC Filed: November 6, 2025
Trial Date: Not Set

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19 ELMER CHAVARRIA MEJIA, and RAFAEL MENJIVAR

20 CASTELLANOS on behalf of themselves and others similarly situated

DECLARATION OF ELMER CHAVARRIA MEJIA

I, Elmer Chavarria Mejia, declare:

1. I am over the age of eighteen and submit this Declaration in support of the Motion for Preliminary Approval of Class Action and PAGA Settlement ("Settlement Agreement") entered into between me, on behalf of myself, and other similarly situated employees of Defendant SAR California Holdco, Inc. dba Sarku Japan ("Defendant"), and Defendant. I understand that I am submitting this Declaration in support of preliminary and final Settlement approval in this action and my requested Enhancement Award of up to \$10,000.00. I have personal knowledge of the facts herein, and if called as a witness, I could and would competently testify to them.

2. I am currently a resident of California, and I was employed by Defendant during the relevant period as a non-exempt, hourly employee. I worked as a Cook and performed various tasks, including serving customers for Defendant. From my experience, and the documents and information I have reviewed from this action, I believe Defendant's policies are or were uniformly applied to all non-exempt, hourly employees of Defendant in California. I believe I have been similarly situated with the other Class Members as they have been defined in the Settlement Agreement.

3. I understand that I am asking to be approved to serve as one of the Class Representatives for the Class in this action, which I understand is defined as all current and former non-exempt employees who worked for Defendant in the state of California at any time during the Class Period, excluding those individuals who have already released, assigned, or otherwise forfeited the claims asserted in the Action. The Class Period is from October 22, 2022, to December 31, 2024. I also understand that I am serving as one of the representative Plaintiffs on behalf of other similarly situated and aggrieved employees in California in connection with the class action and representative claims.

4. I retained the law firm of D.Law, Inc. to represent me in this class action lawsuit against Defendant for the alleged practices and violations as stated in the First Amended Class and Representative Action Complaint ("Operative Complaint").

5. The Operative Complaint resulted from multiple conversations I had with my attorneys and their staff regarding Defendant's policies and practices. I understand that the Operative

1 Complaint has alleged, among other things, that Defendant failed to pay us for all hours worked or
2 failed to pay them at the required overtime rate. I also understand we have alleged that Defendant
3 failed to provide us with meal periods and rest breaks, paid sick days and vacation wages, compliant
4 wage statements, as well as reimbursements for the necessary business expenses as required under
5 California law.

6 6. I believe that I am similarly situated to all other Class Members who worked for
7 Defendant during the Class Period and who were similarly affected by Defendant's policies and
8 practices. I believe my claims against Defendant are typical of the other Class Members, as the claims
9 asserted in the Operative Complaint are also shared by the other Class Members.

10 7. From the beginning of my involvement in this case and prior to filing the initial
11 Complaint, my attorneys informed me about what it meant to be a Class Representative. I understood
12 that I was expected to represent the other employees' interests, placing them ahead of my own. I
13 signed an acknowledgment of my duties as a Class Representative at the outset of this action. I
14 understood and believed the way that Defendant failed to pay me for all hours worked, failed to pay
15 overtime wages, failed to provide meal periods and rest periods, failed to pay vacation wages, failed
16 to provide paid sick time, failed to provide compliant wage statements, failed to keep required payroll
17 records, failed to reimburse necessary business expenditures, and failed to timely pay wages upon
18 termination was the same way for all other employees who worked for Defendant.

19 8. I believe that my interests have been and continue to be aligned with all Class
20 Members, and I have been and am willing to continue to pursue the Class Members' claims vigorously
21 on our collective behalf. As a result, I believe I do not have any interests that are adverse to the
22 interests of the Class Members.

23 9. I understood it was my responsibility to actively participate in the lawsuit to safeguard
24 the interests of other Class Members and to ensure that my interests were not in conflict with those
25 of the other employees. I did so to the best of my ability, and I believe I have maintained the best
26 interests of the Class Members.

27 10. I have spent time communicating with Class Counsel to receive answers to my
28 questions or updates on the case's progression. I estimate I have devoted approximately at least 30

1 **hours** of my time to this action and vigorously representing the interests of the Class, including by
2 performing the following:

3 a. Researching the issues and claims I could bring against Defendant and talking
4 to my attorneys about initiating this action;

5 b. Being interviewed in detail by my attorneys regarding the working conditions
6 we operated under for Defendant, and particularly my experiences and the policies and practices that
7 applied to my employment and the employment of the other similarly situated employees;

8 c. Searching for and gathering relevant documents in my possession and
9 providing them to my attorneys, and reviewing all documents produced by Defendant;

10 d. Speaking with and informing my attorneys of the identities of potential
11 witnesses and Class Members and responding to questions from my attorneys and from Defendant
12 during the discovery process in preparation for mediation;

13 e. Preparing for the mediation session, reviewing settlement-related documents,
14 and working with my attorneys to prepare and provide an executed final version of the Memorandum
15 of Understanding and Settlement Agreement. I have also worked with my attorneys in connection
16 with the motion for preliminary approval of the Settlement Agreement in drafting this Declaration
17 and will also do so as necessary in connection with final approval; and

18 f. Regularly receiving and responding to correspondence and phone calls from
19 my attorneys regarding the claims, case status, the Settlement Agreement, and other related
20 documents.

21 11. I have chosen to serve as a Class Representative despite my concerns about how my
22 role in this class action may adversely affect my prospects for future employment given that this class
23 action and the settlement are public information accessible by prospective employers.

24 12. I have reviewed the Settlement Agreement with my attorneys, and we have negotiated
25 with Defendant in this action on behalf of the Class Members. I agreed to the terms because I believe
26 the Settlement is fair and reasonable. I understand that once the Court grants preliminary approval of
27 the Settlement and to me serving as the Class Representative, the action will proceed with settlement
28 administration and then the final approval process.

13. I have not yet received any consideration or promises that are different than any of the other Class Members. In my opinion, the requested Enhancement Award of \$10,000.00 is fair and reasonable given the risks I have taken, the tasks I have performed, the time I have invested, and the real benefit the Class Members will receive from the Settlement.

14. I understand my requested \$10,000.00 Enhancement Award is subject to the Court's final approval and discretion, and I respectfully request that the Court approve awarding it and approve me to serve as the Class Representative for settlement purposes.

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

Executed this 05 day of February 2026, at Salinas, California.

DocuSigned by:
E.A.Ch
Elmer Chavarria Mejia