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Attorneys for Plaintiff, Sydney Houser

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO

SYDNEY HOUSER, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

THE FISH HOUSE VERA CRUZ, INC., a
California Corporation; and DOES 1 to 100,

Defendants.

Case No.: 37-2023-00045659-CU-OE-NC
Honorable Cynthia A. Freeland, Dept. N-27

CLASS ACTION

SUPPLEMENTAL DECLARATION OF
SYDNEY HOUSER IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT

Date: November 22, 2024

Time: 1:30 p.m.

Dept.: N-27

Action filed: October 20, 2023

Reservation No.: See order dated August 21,
2024

I, Sydney Houser, declare:

1. I am an individual currently residing in San Marcos, California. I am over the age of 18, and the following is based upon my own personal knowledge. If called to testify, I could and would testify thereto.

2. I am filing this declaration in further support the motion for final approval of the class action and PAGA settlement, of my attorneys' request for a \$5,000.00 enhancement for me, and for attorneys' fees and costs. I submitted a declaration dated July 1, 2024, in support of the preliminary approval request. This declaration will supplement the July 1, 2024, declaration that I signed in support of preliminary approval.

3. After the court approved Notice was sent to the class members and aggrieved employees I continued to work on the matter. I have always been ready to respond to all inquiries and calls that I have received about this case and the settlement. I estimate that I have spent approximately 30 hours on this case and anticipate more time through the final distribution once the court hears this motion.

4. I believe that the settlement is excellent. I was told that no class members have requested exclusion which I believe reflects how well this settlement was received. I have only heard good things about the settlement and no class member has expressed any complaint about the settlement to me. I believe that these factors weigh heavily towards approving the settlement as it has been received well by the 258 class members. I have not received any negative feedback from any of my former co-worker class members regarding the terms of the settlement, including their settlement share, my enhancement request, attorneys' fees and costs and administrator fees.

5. Filing this lawsuit resulted in my having to endure a lot of stress, as I understood the risks involved in taking on Defendant The Fish House Vera Cruz ("Defendant") with a high-powered law firm defending it.

6. As previously set forth in my July 1, 2024 declaration, I understand that I am acting as a Private Attorney General on behalf of the aggrieved employees and the State of California. I believe that the Class Action Settlement in the gross amount of \$172,000.00 obtained on behalf of the class of approximately 258 class members is excellent in view of the complex and varied issues involved with the case.

7. I believe the requested enhancement amount of \$5,000.00 is fair and reasonable in light of my work experience and the fact that I gave up my individual rights to sue Defendant, as part of this settlement by signing a general release of any and all claims, not just wage and hour claims. This case was stressful and caused anxiety and stress that no other class member had to endure. Accordingly, I do believe that the \$5,000.00 is fair and reasonable which is also evident as not one class member has objected to this amount.

8. Being a class representative has also caused me significant stress. This was the first litigation I have been involved in and it was stressful since I wanted to be a true champion for the class and aggrieved employees. I also wanted to ensure that I represented the State of California properly as a Private Attorney General.

9. This litigation has also resulted in a valuable benefit to the Class Members who will participate in a monetary payout due to my initiative in seeking counsel to file a class action and then for my significant involvement, at least 30 hours of time.

10. I support my attorneys' request for fees as I believe the attorney fee request of \$60,200.00 to be reasonable in light of the excellent work and favorable result my attorneys achieved for the members of the Class. I understand that the attorneys are requesting to be awarded attorneys' fees of 35% of the gross settlement fund of \$172,000.00. The request of 35% is fair and reasonable especially in light of the work performed and the excellent result received.

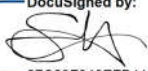
11. I did provide my written consent to the attorneys' fee split that provides that the JCAL and FLC will each receive an equal share of any fee award as it relates to the settlement. The total amount of attorneys' fees requested of \$60,200.00 is based on the request and is to be allocated as follows:

Janelle Carney – Attorney at Law, APC (50%)	\$30,100.00
Frontier Law Center (50%)	\$30,100.00
Total Fee Request	\$60,200.00

12. Based on the settlement result, I reiterate my full support for the entirety of the settlement and request that the Court enter a Final Approval Order.

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

1 Date: October ³⁰____, 2024

DocuSigned by:

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SYDNEY HOUSER

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of eighteen (18) and not a party to the within action; my business address is 14758 Pipeline Avenue, Suite E, Second Floor, Chino Hills, CA 91709-6025.

On October 30, 2024, I served the foregoing document described as:

**SUPPLEMENTAL DECLARATION OF SYDNEY HOUSER IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

on INTERESTED PARTIES in this action by placing a copy thereof enclosed in a sealed envelope addressed as stated below:

Harvey Berger, Esq.
Matthew Baker, Esq.
Berger & Williams, LLP
401 B Street, Suite 2000
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XX BY E-MAIL: I electronically served the above-mentioned document to each of the above recipients at their respective e-mail addresses. My e-address is: Jerin@JanelleCarneyLaw.com

California Labor & Workforce Development Agency
Via Online Filing
<http://www.dir.ca.gov/private-attorneys-general-act/private-attorneys-general-act.html>

Executed on October 30, 2024 at Chino Hills, California.

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

Jerin Wilkinson