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Attorneys for Plaintiff NICOLE DEZA

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

NICOLE DEZA, as an individual and on behalf
of all employees similarly situated,

Plaintiff,

v.

EURO SNACK, INC., a California
Corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: S-CV-0052505

[Assigned for all purposes to Hon. Todd Irby,
Department 6]

**CLASS AND PAGA REPRESENTATIVE
ACTION**

**DECLARATION OF PLAINTIFF NICOLE
DEZA IN SUPPORT OF PLAINTIFF'S
MOTION FOR APPROVAL OF CLASS AND
PAGA REPRESENTATIVE ACTION
SETTLEMENT**

Date: April 29, 2025

Time: 8:30 a.m.

Courtroom: Dept. 6

Judge: Hon. Todd Irby

Action Filed: March 25, 2024

Trial: Not Set

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1 settlement. I believe that the Class Action Settlement obtained on behalf of the Class Members is fair and
2 reasonable in view of the issues and risks involved with the case.

3 7. I am asking to be stand-in for other employees of Defendant. Because of that, I cannot
4 quit on the Class, and I cannot put myself and my interests before the Class. I accept these duties and
5 request that I be approved as the class representative for purposes of this Settlement.

6 COMMUNITY OF INTEREST: TYPICALITY AND ADEQUACY

7 8. I was an hourly non-exempt employee of Defendant and was subject to the same pay structure
8 and rules as all the other hourly non-exempt employees of Defendant.

9 9. I am not aware of anything special about me that would raise unique defenses to my claims, as
10 opposed to the claims of the class. I am also not suing for anything unique to me. Rather, my claims are
11 based upon the same facts that relate to the rest of the Class.

12 10. I do not believe that I have any conflicts with Class Members included in this proposed
13 Settlement. I do not have any intention to take any action that would place me in a position that is
14 hostile to other Class Members.

15 SERVICE AS A CLASS REPRESENTATIVE

16 11. I believe if not for my stepping forward and taking on the duties of protecting the
17 interests all aggrieved former and current employees of Defendant, it is likely that the interests of the
18 Class would neither have been prosecuted, nor benefited. To my knowledge, other than the litigation
19 encompassed by this proposed Settlement, there is no other litigation concerning the claims in this
20 lawsuit. Nor has Defendant pointed to any.

21 12. I have assumed some long-lasting risk in prosecuting this case. Because it is so easy to
22 search for information online these days, I will face an increased risk that future employers will
23 discover information about this lawsuit online and have a negative reaction to learning that I sued an
24 employer. This may make it harder for me to obtain future employment or change jobs for a better
25 opportunity.

26 13. I have devoted a substantial amount of my time, both before this lawsuit was filed and
27 also during its litigation, to ensure a fair result for the employee Class. This involved ongoing
28 communication and participation with my Counsel during the course of this case. My participation

1 began with bringing certain issues that are involved in this matter to my Counsel's attention and
2 explaining the factual background that was used to prosecute the claims in this case. For example, I
3 reviewed documents which I already had, I provided relevant documents to my Counsel, and I
4 explained those documents and related facts to my Counsel to assist them in their review during
5 multiple meetings with my attorneys.

6 14. My efforts continued after the suit was filed. For example, I have had many discussions
7 with the attorneys at Tunyan Law, APC regarding Defendant's wage and hour policies, my claims in
8 this case, litigation strategy, potential witnesses, discovery, updates on how the case was proceeding,
9 and how I could help the case. I also discussed strategy with my Counsel. I remained in regular
10 communication with my attorneys regarding discovery and settlement discussions that the parties had
11 during the course of litigation and mediation. I continued to identify employees and other witnesses to
12 counsel, along with other information as to how they could be of potential use in this matter. I also
13 provided substantial information and documents to my attorneys to assist them in preparing the case.

14 15. After the mediation, a long-form settlement agreement was negotiated, and I reviewed it
15 with my Counsel to ensure that its terms are likewise fair and adequate.

16 16. I believe that the Class Representative Service Payment of \$10,000 for me is fair and
17 reasonable. This enhancement takes into consideration the time, effort, risks, stress, and sacrifice of
18 signing a general release of all claims over just wage and hour claims, as well as the benefit provided to
19 all class members as a result of my involvement in this litigation. In sum, in addition to assuming the
20 risks that go along with being a class representative and named plaintiff in litigation, I believe I have
21 also provided well over 25 hours of my time during the course of this litigation to ensure a good
22 outcome for the best interests of the Class. I believe I have been diligent and acted above and beyond
23 that which is expected of a Class Representative throughout all stages of the litigation. I will continue to
24 diligently act as the Class Representative up to and including final approval of the Class Action
25 Settlement.

26 17. I signed a general release, so I am not only giving up my wage and hour claims, but I
27 am also giving up all claims beyond wage and hour claims I had against my former employer. Since I
28 have signed a general release for any and all claims related to my employment with Defendant, I cannot

1 pursue any other claims against Defendant while Class Members can still pursue other claims not
2 released in this Class Action.

3 18. This litigation has also resulted in a valuable benefit to the Class Members who will
4 participate in the monetary payout of this Settlement because of my involvement. As a result of this
5 Settlement, Class Members are receiving thousands of dollars in Settlement checks.

6 19. Likewise, I risk the potential stigma of being a Class Representative in a Class Action
7 labor dispute, which may affect my future employment in this industry. A Google search with my name
8 and Defendant show that I am a Plaintiff in this Class Action case.

9 20. Based on the time, risk, stress, sacrifice of signing of a general release, and the great outcome
10 of this case, I believe that the requested enhancement for me is fair and reasonable.

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

13 Executed 03 / 05 / 2025

at Oxnard, California.

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16 **NICOLE DEZA, "Declarant"**
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1 **PROOF OF SERVICE**

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3 STATE OF CALIFORNIA)
4) ss
COUNTY OF LOS ANGELES)

5 I am employed in the county of Los Angeles, State of California. I am over the age of 18
6 and not a party to the within action; my business address is 535 N Brand Blvd. Suite 285
Glendale, California 91203. On April 4, 2025, I served the foregoing document described as:

7
8 On the date indicated below, I served the document described as: **DECLARATION OF**
9 **PLAINTIFF NICOLE DEZA IN SUPPORT OF PLAINTIFF'S MOTION FOR**
10 **APPROVAL OF CLASS AND PAGA REPRESENTATIVE ACTION SETTLEMENT** on
the interested parties in this action by sending a true copy thereof to interested parties as follows
and as stated on the attached service list:

11 Spiros E. Fousekis
12 spiros.fousekis@ropers.com
13 Julie McElligott
14 julie.mcelligott@ropers.com
15 Breane Stryker
16 breane.stryker@ropers.com
17 **ROPERS MAJESKI PC**
801 South Figueroa Street, Suite 2100
Los Angeles, CA 90017
(213) 312-2000
(213) 312-2001

18 *Attorneys for Defendant Euro Snack, Inc.*

19 [✓] **BY E-MAIL:** I hereby certify that this document was served from Glendale, California,
by e-mail delivery on the parties listed herein at their most recent known e-mail address
or e-mail of record in this action.

20 [✓] **BY ELECTRONIC SERVICE:** Based on an agreement of the parties to accept electronic
21 service, I caused the documents to be sent to the persons at the electronic service addresses listed
above via electronic mail. I did not receive an error message.

22
23 I declare under penalty of perjury under the laws of the State of California that the
above is true and correct. Executed on April 4, 2025 at Glendale, California.

24
25 Lilit Tunyan
Name



Signature