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Attorneys for Plaintiff Nicole Burton,
on behalf of herself and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF CONTRA COSTA

MICHAEL GONZALES and NICOLE
BURTON, individually, on behalf of
themselves, and on behalf of all persons
similarly situated,

Plaintiffs,

vs.

MECHANICS BANK, a California Corporation;
RABOBANK, a Corporation; and DOES 1-50,
Inclusive, and DOES 1-50, Inclusive,

Defendants.

Case No. C22-02261

*[Assigned for All Purposes to the Hon. Edward
G. Weil, Dept. 39]*

**DECLARATION OF NICOLE BURTON
IN SUPPORT OF PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

DECLARATION OF NICOLE BURTON

I, Nicole Burton, declare:

1. I am over the age of 18 and am a named Plaintiff and class representative in this matter. I have personal knowledge of the matters stated herein and if called and sworn as a witness, I would and could competently testify under oath thereto.

2. This declaration is submitted in support of Preliminary Approval of the Class Action settlement in this matter.

3. I worked for Defendant Mechanics Bank (together with Rabobank, "Defendants"), as a non-exempt employee from approximately October 3, 2022, to approximately December 13, 2024.

4. From the time of the filing of the lawsuit, I have understood that this is a class action lawsuit where I represent the interests of all current and former non-exempt employees of Defendants as direct employees who performed work in California during the Class Period, excluding any non-exempt employees who previously entered into settlement or severance agreements with Defendants that cover the entirety of the Class Period (the "Class Members").

5. I believe while working for Defendants, I and all Class Members were subject to the same policies and procedures regarding payment of minimum and overtime wages, sick pay, meal breaks, payment of meal break premium wages, rest breaks, payment of rest break premium wages, reimbursement of business expenses, wage statements, and final payment of wages. I believe that the claims of all Class Members are identical to mine because Defendants' policies and procedures applied to all of us.

6. I understand that I must continue to consider and protect the interests all Class Members. I have been protecting the rights of myself and all Class Members since approximately February 2024 when first I started looking for an attorney before this lawsuit was filed. I have been and will continue to place the interests of all Class Members above my own. I do not have a conflict with the Class Members I seek to represent.

7. I provided information and been available to my attorneys since approximately

1 February 2024 when I was searching for my attorney. I have helped and been willing to support
2 the lawsuit in any way I can for the last approximately 12 months since February 2024 when I
3 began searching for an attorney for the claims in this lawsuit. I have searched for an attorney, met
4 with my attorneys to see if they would represent me, met with my attorneys to discuss the
5 Defendants' policies, procedures, and practices for clocking in and out, paying wages for the hours
6 that we worked, providing meal breaks, providing rest breaks, payment of premium wages,
7 reimbursement of business expenses, sick pay, wage statements, and final payment of wages. I
8 spent time searching for policies and procedures that were given to me during my employment,
9 any timecards I had, any pay stubs I had, W2s, and other documents related to my employment. I
10 produced all the documents to my attorneys. I responded to almost all of my attorneys' telephone
11 calls and interviews and I met with them in person and/or telephonically to discuss any questions
12 they had about my employment, Defendants' policies and procedures, Defendants' paying of
13 minimum and overtime wages, Defendants' providing of meal and rest breaks, paying premium
14 wages, paying sick wages, providing wage statements, or the documents I had provided to them. I
15 made myself available during the mediation session. Once the settlement agreement was finalized,
16 I conferred with my attorneys on multiple occasions to review and discuss the agreement before
17 signing.

18 8. I also understand that in the event this matter proceeds to trial, I must come to court
19 to participate in the trial. I will come to court if I am needed and have been ready to perform any
20 responsibility that is necessary for this lawsuit. I know that I took a risk by filing this lawsuit
21 because if I lost, I would have to pay for all the costs incurred by the Defendants in the lawsuit. I
22 also have the risk of losing income for any time that I would have to spend fulfilling my
23 responsibilities including having to attend the trial. I also believe I have taken a risk by filing this
24 lawsuit because my employers in the future may find out that I sued my employer, and they may
25 not like it. The other Class Members will be receiving money from this lawsuit, and they have not
26 had to file a lawsuit, look for an attorney, or take the risks that I have had to take.

27 9. I understand that the settlement we have reached in this case must be approved by
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the Court and in the interim, I must continue to protect the interests of all Class Members.

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

Executed this 20 day of February 2025, at Vallejo, California.

Nicole Burton
Nicole Burton