

John G. Yslas (SBN 187324)
john.yslas@wilshirelawfirm.com
Eugene Zinovyev (SBN 267245)
eugene.zinovyev@wilshirelawfirm.com
John Brown (SBN 233605)
john.brown@wilshirelawfirm.com
Gabriella Solé (SBN 346164)
gabriella.sole@wilshirelawfirm.com
Emily Borman (SBN 303180)
emily.borman@wilshirelawfirm.com
Courtney M. Miller (SBN 327850)
courtney.miller@wilshirelawfirm.com
WILSHIRE LAW FIRM, PLC
660 S. Figueroa St., Sky Lobby
Los Angeles, California 90017
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO**

BRANDON LEE SMITH, individually, and on
behalf of all others similarly situated,

Plaintiff,

vs.

SAN DIEGO COUNTRY ESTATES
ASSOCIATION; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 37-2024-00025729-CU-OE-CTL

*[Assigned for All Purposes to the Hon. Evan
P. Kirvin, Dept. C-69]*

**DECLARATION OF BRANDON LEE
SMITH IN SUPPORT OF PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Final Approval Hearing:

Date: May 22, 2026

Time: 9:00 a.m.

Dept.: C-69

Action Filed: May 31, 2024

DECLARATION OF BRANDON LEE SMITH

I, Brandon Lee Smith, declare as follows:

1. I have personal knowledge of the facts set forth in this declaration and could and would competently testify to them under oath if called as a witness. I submit this declaration in support of my Motion for Final Approval of Class Action and PAGA Settlement.

Risks, Both Financial and Otherwise, Faced in Bringing the Suit

2. When I decided to become involved in this lawsuit as a class representative on behalf of other employees of San Diego Country Estates Association (“SDCEA”) and as a private attorney general for the State of California, I understood that I was not only seeking unpaid wages and penalties on behalf of myself, but also for other employees who worked for SDCEA, and that by doing so, I would be delaying more immediate recovery available to me through the Labor Commissioner’s office.

3. I was also made aware that being a class representative and private attorney general in an action filed on behalf of others would subject me to a stigma that is sometimes associated with those who bring these kinds of lawsuits. I was aware that, as a class representative and private attorney general, I might be responsible for some or all of SDCEA’s legal costs if the case was not successfully concluded. Even with knowledge of these risks, I was willing to go forward and to act on behalf of the other employees and the State of California, but I was nervous about losing and having a judgment filed against me for costs or losing job opportunities in the future.

4. I understood that there were risks involved in class and representative action lawsuits. I understood that the lawsuit could continue for several years and require my services and attention throughout the entire length of the lawsuit. I learned that even if we won at trial, the case could be further delayed by appeals.

Notoriety and Personal Difficulties Encountered

5. As a named plaintiff, I am the face of the litigation. As of the date of this declaration, the class notice will be mailed in this case to approximately 497 current and former employees of Continental SDCEA, which will inform them that I filed class and representative actions against SDCEA. Exposing myself to this kind of publicity creates a risk for my future career prospects, since

1 current and former employees of SDCEA may move to different companies within the industry or
2 may know people at other companies within the industry who may not wish to hire someone who
3 sued his employer. I also understand that having filed this lawsuit in court means that there is now a
4 permanent public record of this lawsuit available to the general public. Given this additional
5 exposure, there is further risk to my future career prospects.

6 **Amount of Time and Effort Spent and Duration of the Litigation**

7 1. I have spent a substantial amount of time and effort on this litigation. My work on
8 this case has included, among other things, searching for documents related to my employment with
9 SDCEA, discussing my experiences working for SDCEA, keeping in regular contact with my
10 attorneys regarding the status of the case, helping my attorneys prepare for mediation, being on-call
11 for my attorneys on the day of mediation in case questions or concerns arose during mediation, and
12 participating in settlement discussions. After mediation, I remained actively involved by reviewing
13 the settlement papers and contacting my counsel for updates. I estimate that since I retained my
14 counsel in December 2023, I have spent approximately 25 hours on the activities described above.
15 And I estimate that I will spend an additional 1-5 hours assisting my attorneys through the approval
16 process and staying up to date with the case through disbursement of the settlement checks.

17 **Personal Benefit Received as a Result of the Litigation**

18 6. Absent the requested service payment, the personal benefit I will receive from this
19 settlement is the same as all other employees.

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct. Executed on 4/29/2026, at Ramona,
22 California.

23 DocuSigned by:
24 *Brandon Lee Smith*
25 65A093DEFEB4CF
26 Brandon Lee Smith
27
28