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ATTORNEYS FOR PLAINTIFFS MARC DAVILA AND MADELEINE GRANT,
THE LWDA, AND THE AGGRIEVED EMPLOYEES

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF RIVERSIDE

MARC DAVILA, an individual, and
MADELEINE GRANT, an individual

Plaintiffs,

vs.

WEST COAST TANNING DBA PALM
BEACH TAN, a California corporation; and
DOES 1 through 100, inclusive,

Defendants.

Case No.: **CVR12404266**

ASSIGNED FOR ALL PURPOSES TO:
HON. HAROLD W. HOPP

**DECLARATION OF MARC DAVILA IN
SUPPORT OF PLAINTIFFS' MOTION TO
APPROVE PAGA SETTLEMENT**

Date: March 19, 2026

Time: 8:30 AM

Dept.: 1

Action filed: July 19, 2024

Trial Date: None Set

I, Marc Davila, declare as follows:

1. The facts set forth herein are true based on my own personal knowledge, and if called upon to testify thereto, I could and would competently do so under oath.

2. I submit this declaration in support of Plaintiffs' motion for the Court to approve the PAGA settlement in this action. This declaration includes the nature of my participation in this action.

3. I am one of the named plaintiffs in this action. On or around July 19, 2024, my attorneys filed, on my behalf, a Class Action Complaint entitled *Marc Davila v. West Coast Tanning dba Palm Beach Tan*, Case No. CVR12404266, in the Superior Court of California,

1 Riverside County, on behalf of myself, and all others similarly situated. On or about February 25,
2 2025, my attorneys filed a First Amended Complaint (“FAC”) adding Plaintiff Grant, dismissing
3 the class claims and alleging a single cause of action for penalties pursuant to PAGA. On or about
4 October 1, 2025, my attorneys filed an amended PAGA letter with the LWDA concerning claims
5 against Heidi Schultz. On or about January 29, 2026, my attorneys filed a Second Amended
6 Complaint (“SAC”) adding Heidi Shultz as a Defendant.

7 4. I worked for West Coast Tanning, Corporation (dba Palm Beach Tan, LLC) and
8 Heidi Shultz (“Defendants”) as a Tanning/Sales Consultant from in or around January 8, 2023 and
9 continuing to July 26, 2023. As a Tanning/Sales Consultant, my job responsibilities included
10 checking clients in for their appointments and soliciting them to sign up for memberships.

11 5. As one of the named Plaintiffs in this action, I provided significant assistance to my
12 counsel in this case. Since this lawsuit was filed, I communicated frequently with my attorneys. In
13 order for me to provide factual background for the Class Action Complaint, FAC and SAC, it was
14 necessary for me to recall and memorialize events from my former employment with Defendants,
15 participate in multiple initial intake interviews, produce employment documents and be available
16 for follow up calls, emails, and text messages from my attorneys. Throughout the course of this
17 litigation, I participated in several phone calls with my attorneys plus numerous text message and
18 email exchanges, in order to provide such information.

19 6. My attorneys also requested that I provide them with paystubs and other personnel
20 file documents in my possession documenting my time working for Defendants. Prior to becoming
21 involved in this litigation, it was not my normal habit to keep every single paystub I received, and
22 for the ones that I did keep, I was not sure where they were. It took me several hours over the span
23 of a couple of days to locate all the paystubs and other documents requested by my attorneys which
24 were in my possession.

25 7. Once the Class Action Complaint, FAC and SAC were drafted, my attorneys had me
26 review the allegations for accuracy. At times, I would have questions, and would need to set up a
27 call to have my questions answered as part of the review process. This involved phone calls with
28 my attorneys as well as responding to emails and text messages to provide clarifying information to

1 assist with revisions of the Class Action Complaint, FAC and SAC. This took several hours of my
2 time. I had several such telephone conversations with my attorneys that lasted more than one hour
3 each time.

4 8. My attorneys also had me review other documents which were either filed with the
5 Court or necessary to litigate and eventually settle this matter. These included the other pleadings
6 filed with the Court, the PAGA Letter to the Labor and Workforce Development Agency, the
7 Mediation Brief, and the Settlement Agreement. This process required me to review these
8 documents and confer with my attorneys about the accuracy thereof and gave me an opportunity to
9 ask questions and clarify my understanding of these documents, which was time consuming.

10 9. Moreover, I remotely attended the mediation for this matter in May 27, 2025.

11 10. My attorneys spent additional time with me on the phone answering my questions. I
12 estimate that I have spent as many as 35 total hours working with my attorneys on this case.

13 11. It is my understanding that the Enhancement Payment is intended to compensate me,
14 as one of the named plaintiffs, for all the work I did on behalf of the Aggrieved Employees and the
15 State, and in order to confer a benefit to the Aggrieved Employees and the State. I believe I did
16 confer a benefit to the Aggrieved Employees and the State by bringing this lawsuit, in that, this
17 lawsuit resulted in a Gross PAGA Settlement Amount ("GPSA") of \$125,000.00. The settlement
18 will result in the Aggrieved Employees receiving proportional disbursements from the settlement
19 as statutory penalties that they are entitled to for the wage and hour violations alleged in the SAC.
20 Therefore, I believe I should be fairly compensated for my time and effort. Without my
21 participation as one of the named plaintiffs in this action, there likely would have been no one else
22 to step forward to sue Defendants for what I believe to be unlawful conduct. I believe the
23 Enhancement Payment in the amount of \$2,500.00 is a reasonable and fair amount of compensation
24 given my extensive participation and the amount of time and energy I expended in pursuit of this
25 lawsuit.

26 12. In participating as one of the named plaintiffs, I was exposed to substantial risk,
27 including, at the very least, reputational risk, and at most, significant financial risk, because had I
28 lost, I could have been ordered to pay Defendants' costs.

13. I understand that, as a PAGA Representative, I have a duty to look out for and protect the interests of the Aggrieved Employees as a whole. I do not believe, nor do I have any reason to believe, that my interests in this lawsuit are in conflict or in any way antagonistic to the interests of those of my fellow Aggrieved Employees.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on Feb 10, 2026 at los angeles, California.

~~marc davis~~ (Feb 10, 2026 16:26:18 PST)

Marc Davila