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Attorneys for Plaintiff ANDREW DAT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

FIDEL ANTONIO MUNOZ,
DOUGLASS OLMSTED, and ANDREW
DAT, on behalf of themselves and all
others similarly situated and in their
capacities as private attorneys general,

Plaintiffs,

v.

MERCURY INSURANCE SERVICES,
LLC, a California limited liability
company; and DOES 1 through 50,
inclusive,

Defendant.

Case No.: 24STCV08298

Assigned for All Purposes to:
Hon. Carolyn B. Kuhl, Dept. 12

DECLARATION OF ANDREW DAT

Date: February 5, 2024
Time: 10:30a.m.
Dept.: 12

Complaint Filed: March 29, 2024
Trial Dat: None Set

DECLARATION OF PLAINTIFF ANDREW DAT

1 I, ANDREW DAT, declare as follows:

2 1. I am an adult over the age of eighteen (18) years old. I am a plaintiff in the above-
3 captioned lawsuit. I have personal knowledge of the facts set forth in this declaration. I make this
4 declaration in support of Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA
5 Settlement Agreement, Approval of Class Notice, and Conditional Certification of the Settlement
6 Class.

7 2. I have worked for Mercury Insurance Services, LLC since January 2005 and have
8 been on medical leave since approximately August 2021. I was an hourly non-exempt employee
9 with the job title of IT Technical Support. I typically worked five days per week for eight hours per
10 day, but worked overtime when necessary. While working for Mercury, I don't think I was paid for
11 all hours that I worked because I had to boot up and log into a computer to access the systems needed
12 to clock in, which I do not believe was compensated. Due to the demands of my workload, I was
13 often required to work through my meal and rest breaks or would otherwise be interrupted with
14 work.

15 3. I decided to file this lawsuit because I did not feel that I was treated fairly as an
16 employee of Mercury, especially with regard to me not receiving all of the pay I believe I earned,
17 and not getting all of my lunches and other breaks.

18 4. It is my understanding this lawsuit could not have been prosecuted or settled on
19 behalf of the other employees unless I or some other current or former employee decided to serve
20 as a named plaintiff and file this case. In deciding to serve as a named plaintiff in this case, I
21 understood that my name could be publicly attached to this lawsuit and that my work experiences
22 to some extent would be set forth in a public court file. I recognized I would need to devote a certain
23 amount of time that I could have spent otherwise. I also recognized my bringing the lawsuit carried
24 some degree of risk for defendants' legal costs among other things. Despite this, I decided to serve
25 as the named plaintiff without any promise of recovery or compensation.

26 5. I am familiar with the work involved in prosecuting this case. I have participated in
27 meetings, phone calls, and other communications with my lawyers regarding this case. I am familiar
28 with the allegations and defenses of the claims in this case. I am familiar with the major events in

DECLARATION OF ANDREW DAT

1 this case that resulted in this settlement, and the preparation of settlement papers and the need to
2 obtain court approval of the proposed settlement. I participated in the litigation and provided my
3 lawyers with information and documents regarding my employment with Mercury.

4 6. I believe that the proposed settlement obtained on behalf of the class members and
5 aggrieved employees is excellent in view of the issues and risks involved with the case.

6 7. I believe I have fulfilled my duties as one of the named plaintiffs in the class action,
7 which required a significant amount of time and effort during the course of this case. These efforts
8 required dedicating numerous hours to lawsuit activities including, but not limited to: (a)
9 communicating with my attorneys to stay informed of ongoing developments in the case and to
10 discuss the proposed settlement ultimately negotiated; (b) searching for and providing documents
11 and other materials relating to my work experience; (c) responding to requests for information
12 relating to my work experience; and (d) reviewing filings and key documents including drafts of the
13 complaint and the settlement agreement. These tasks required my dedication of at least 20 hours of
14 my time, which time I honestly could have spent on family, personal time, or work. My
15 understanding is that future tasks may require several more hours of my time. Further, at all times I
16 was ready, willing and able to testify at deposition and/or trial. I believe I have been diligent and
17 that I have acted above and beyond that of which is expected of a named plaintiff to date and will
18 continue to do so. To the best of my knowledge, I have no conflicts of interest of any kind with any
19 other class member.

20 8. It is my opinion that \$10,000.00 is a fair and adequate award for my service as the
21 named plaintiff. I believe that amount is fair and reasonable in view of the work I have and will
22 continue to perform on behalf of the class members. I believe that my role as the named plaintiff in
23 this lawsuit has resulted in a valuable benefit to the class members, and I accepted the potential risk
24 of being liable for the opposing parties' costs if we were unsuccessful in this lawsuit. I believed in
25 this case, so I was willing to be the named plaintiff to risk this and pursue this class action litigation.
26 I also accepted the risk that news of this lawsuit could also potentially impact my ability to secure
27 other work.

28 //

DECLARATION OF ANDREW DAT

9. Based on the time, service, risk, stress, potential stigma, loss of benefits and excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 11 / 13 / 2024, at Anaheim, California.


ANDREW DAT

Title	declaration of Dat
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SENT

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VIEWED

11 / 13 / 2024

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