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Attorneys for Plaintiff and the Proposed Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MARIA SANDOVAL NUNEZ, an individual,
on behalf of herself and others similarly
situated,

PLAINTIFF,

v.

MERRITT HOSPITALITY, LLC; and DOES 1
thru 50, inclusive,

DEFENDANTS.

CASE NO. 20STCV07198

[Case Assigned for All Purposes to Honorable
Maren Nelson in Dept. 17]

**DECLARATION OF MARIA
SANDOVAL NUNEZ IN SUPPORT OF
FINAL APPROVAL OF CLASS
SETTLEMENT**

Date: May 26, 2022

Time: 9:00 a.m.

Dept.: 17

Complaint Filed: February 25, 2020

FAC Filed: May 4, 2020

SAC Filed: February 11, 2021

Trial Date: None Set

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I, Maria Sandoval Nunez, state and declare as follows:

1. I am a competent adult, over the age of eighteen, and the named Plaintiff in the above-captioned matter. The following is based upon my personal knowledge, and if called as a witness, I could and would testify competently thereto.

2. I am a former employee of Defendant Merritt Hospitality, LLC (“Defendant”). I worked for Defendant as an hourly non-exempt employee from approximately August 15, 2018 until June 2, 2021, earning approximately \$17 per hour. I was a front desk clerk.

3. I brought this lawsuit, on behalf of myself and all other Settlement Class Members, against Defendant because I believe that Defendant did not pay overtime at the appropriate rate of pay, did not provide all required lawful meal and rest breaks, did not provide accurate itemized wage statements, did not pay all wages due at the time of termination or resignation, and did not provide adequate seating at the front desk area. I believe these alleged violations affected me and other employees.

4. I understand the obligations I have in representing other employees, and I believe that I am able to represent them well.

5. I first researched attorneys who are very experienced with these types of actions. Once retained, I compiled relevant documents from my employment to assist my attorneys in litigating this case. I worked with my attorneys to develop the facts and legal claims in this lawsuit. The class action lawsuit was filed in 2020.

6. Throughout the litigation, I have provided my attorneys with helpful information for this Action and for the Settlement as needed. Additional work in connection with this matter includes providing information to my attorneys regarding my employment with Defendant; staying in regular contact with my attorneys to discuss the status of the case; responding promptly to my attorneys' various communications regarding this matter; assisting my attorneys in preparing for mediation and being available that day as needed; and reviewing and analyzing the Settlement Agreement and settlement papers to ensure the Settlement was fair and reasonable and in the best interests of the Settlement Class.

1 7. I estimate the total time spent in connection with this matter is approximately 35-
2 45 hours.

3 8. I have worked to actively represent the other members of the Settlement Class and
4 their interests, and I will continue to do so.

5 9. I believe that I have always kept the interests of all members of the Settlement Class
6 at heart in this litigation, and I will continue to do so.

7 10. I am prepared to continue undertaking the substantial burden of assisting with this
8 litigation on behalf of the Settlement Class, and I am committed to achieving the best possible
9 results for the Settlement Class.

10 11. I believe that the class action settlement obtained on behalf of the Settlement Class
11 is fair and reasonable in light of the issues involved in this case. As mentioned above, I reviewed
12 and discussed the Settlement with my attorneys and asked them questions about it to ensure that I
13 understood its terms and what it would mean for all of the Settlement Class Members.

14 12. I believe that I have fairly represented the absent Settlement Class and request that
15 the Court finally approve this settlement and confirm me as Class Representative.

16 13. I am not aware of any conflicts of interest that prevent me from being confirmed as
17 Class Representative in this Action. I am not related in any way to my attorneys or to any other
18 member of the firm that is representing me. I have no business dealings or other involvement
19 beyond this Action and this representation. I have not been promised any money or inducement
20 to serve as Class Representative in this Action.

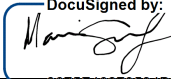
21 14. It is my opinion that the Agreement provides for a fair and adequate enhancement
22 for me as Class Representative, in the amount of \$5,000.00. I believe that this is fair and reasonable
23 in light of all of the work that I have performed in my role as Class Representative. As Class
24 Representative, I initiated this action and have actively participated in all stages of the litigation,
25 as detailed above, and have always maintained the best interests of the Settlement Class while
26 performing my duties as the Class Representative.

27 15. It is also my opinion that the Class Representative Enhancement Award is fair,
28 reasonable, and adequate because, in addition to the many hours spent participating in the

1 prosecution of this case, I accepted the potential risk of being liable for Defendant's attorneys'
2 fees and costs if we were unsuccessful in this Action. Likewise, I risk the potential stigma of being
3 a Class Representative in a class action labor dispute, which may affect my future employability.
4 Despite these potential risks, I felt it was important to proceed with this litigation on behalf of
5 myself and others in the capacity of Class Representative.

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

8 Executed this 3rd day of May, 2022 at Los Angeles,
9 (City)
10 California.

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12 _____
13 Maria Sandoval Nunez
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(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On May 4, 2022, I served all interested parties in this action the following documents described as: **DECLARATION OF MARIA SANDOVAL NUNEZ IN SUPPORT OF FINAL APPROVAL OF CLASS SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Jeffrey P. Fuchsman
jfuchsman@brgslaw.com
Ballard, Rosenberg, Golper & Savitt, LLP
15760 Ventura Blvd., 18th Floor
Encino, CA 91436

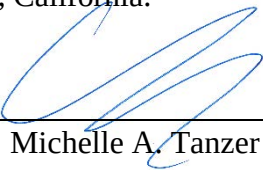
☐ **(BY MAIL)** I am “readily familiar” with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY ELECTRONIC MAIL THROUGH CASE ANYWHERE:** On interested parties set forth on the attached service list.

☒ **BY ELECTRONIC SERVICE:** I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing (“EF”) System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 4, 2022, at Encino, California.



Michelle A. Tanzer