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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN FRANCISCO

ANDREW ELLENBERG-WILEY, an individual, on behalf of himself, and on behalf of all persons similarly situated, Plaintiff, vs. SAN FRANCISCO AIDS FOUNDATION, a California nonprofit corporation; and DOES 1-50, Inclusive, Defendants.	Case No. CGC-23-609040 **DECLARATION OF ANDREW ELLENBERG-WILEY IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT** Date: December 10, 2026 Time: 9:00 a.m. Dept.: 302

I, ANDREW ELLENBERG-WILEY, declare as follows:

1. I am over eighteen years of age and if called as a witness, I could and would competently testify to the following facts from my own personal knowledge. I am the lead named Plaintiff in the above wage and hour class action filed against SAN FRANCISCO AIDS FOUNDATION (hereinafter "Defendant").

2. This declaration is being submitted in support of Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement.

3. I believe that I am, have been, and will continue to represent the interests of the class fairly and adequately. I have claims that are typical of the claims the Class Members that I am seeking to represent.

4. I was employed by Defendant from September of 2021 to October of 2022, as a non-exempt employee. During my employment, I was denied legally compliant meal and rest periods. Throughout my employment, I was subject to Defendant's written policies and procedures contained in, among other documents, the "San Francisco AIDS Foundation Employee Handbook."

5. Generally, my lawsuit claims that Defendant failed to provide compliant meal and rest periods, failed to reimburse for mandatory business expenses, failed to furnish accurate itemized wage statements, and failed to pay all wages upon separation.

6. I believe that my claims are typical of the claims of the Class Members that I am seeking to represent because I was subject to the same alleged unlawful employment policies and practices at issue in this action, including but not limited to, Defendant's failure to provide complaint meal and rest periods, failure to reimburse for mandatory business expenses, failure to furnish accurate itemized wage statements, and failure to pay all wages when due. Factually, Defendant's policies and practices apply class wide, and Defendant's liability can be determined by facts common to all members of the Class.

7. Further, there is no conflict between my interests and the interests of the class that I am seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that I was injured by the same company-wide policies and practices to which the proposed Class was

subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests of the Class by initiating this litigation and evaluating the proposed settlement to assure that it is fair.

8. I understood that at the time I filed this action, as a Class Representative, I owed a duty to the putative class members to faithfully prosecute this action with their best interests at the forefront of every decision. I understood that I could not make any decision in this action for the sole benefit of my personal interest. I understood that in executing this duty, I might have been asked to sacrifice my personal best interests for the benefit of the interests of the putative class members. Nevertheless, I knowingly and voluntarily undertook this duty in order to provide the broadest possible relief for my former co-workers for what I perceived to be Defendant's unlawful wage and hour practices. I believe that I faithfully executed the duties of a Class Representative throughout this litigation and will continue to do until this litigation is fully and finally resolved.

9. I believe that the proposed settlement before the Court is fair, reasonable, and adequate, and made in the best interest of the Settlement Class Members. Consequently, I respectfully, and humbly, ask the Court to grant preliminary approval of the Settlement and all of its terns.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed 10/26/2026, at San Francisco, California.

By: Andrew Ellenberg-Wiley
Andrew Ellenberg-Wiley (Oct 26, 2026 17:18:53 PDT)
ANDREW ELLENBERG-WILEY