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Attorneys for Plaintiff PASHA KRAFT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SONOMA

PASHA KRAFT, an individual, on behalf of
the State of California, as a private attorney
general,

Plaintiff,

v.

THE LAGUNITAS BREWING COMPANY,
a California corporation; and DOES 1-50,
Inclusive,

Defendants.

Case No. SCV-272762

**DECLARATION OF PASHA KRAFT IN
SUPPORT OF PLAINTIFF'S MOTION TO
APPROVE PAGA SETTLEMENT**

Hearing Date: To Be Set By Court
Hearing Time: To Be Set By Court

Judge: Hon. Patrick Broderick
Dept.: 16

1 I, PASHA KRAFT, declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would competently
3 testify to the following facts from my own personal knowledge. I am the named Plaintiff in the above
4 wage and hour representative action filed against THE LAGUNITAS BREWING COMPANY.
5 (hereinafter "Defendant").

6 2. This declaration is being submitted in support of Plaintiffs' Motion to Approve PAGA
7 Settlement.

8 3. I filed the lawsuit in March 2023. I filed the case on behalf of myself, the LWDA, and a
9 group of current and former non-exempt California employees employed by Defendant during the
10 period from December 28, 2021 and August 21, 2023.

11 4. I worked for Defendant as a non-exempt employee in California from June of 2019 to
12 November of 2022.

13 5. I filed the case because I believed my rights as an employee were violated by Defendant
14 and also the rights of other employees that worked for Defendant. Among other claims, I believe
15 Defendant failed to reimburse employees for necessary business expenses, provide compliant meal and
16 rest periods, issued non-compliant wage statements, and failed to pay all wages when due.

17 6. Before I initiated the case as the plaintiff, I spoke at length with my attorneys. We
18 discussed my work experience and how company policies were applied to me and other employees. I
19 provided the attorneys with documents they requested. We reviewed the documents together and asked
20 and answered many questions regarding my experience working for Defendant, the litigation process,
21 and about representative actions generally.

22 7. During these conversations, I learned about my responsibilities as the plaintiff in the
23 lawsuit. I understood that pursuing this action as a representative action rather than merely seeking my
24 individual claims substantially increased the risk to me. Those risks included the possibility of being
25 held liable for Defendant's attorneys' fees and costs if I lost the case. I also understood I would be
26 under increased scrutiny by the attorneys and the Court as a representative of the State of California
27 and other employees. Further, I understood that I could not make decisions for my sole benefit and
28

1 that I needed to make every litigation decision with the best interests of the State of California and other
2 employees in mind.

3 8. I also understood that pursuing this litigation created a very public record of my
4 grievances with Defendant which produced the risk that a future employer could hold it against me that
5 I sued a former employer.

6 9. Notwithstanding these risks and sacrifices, I decided to go through with the case because
7 I believed violations occurred and most employees would not know what their rights are and even if
8 they did, they would be apprehensive to file a lawsuit against their employer for fear of retaliation.

9 10. During the lawsuit I communicated on a regular basis with my attorneys. I reviewed
10 status updates from my attorneys and court filings on a regular basis, and spoke to my attorneys on the
11 phone, because I wanted to keep up with developments in the case which I understood was one of my
12 duties as the plaintiff.

13 11. **Review and Approval of Settlement:** A mediation was held on August 21, 2023. Even
14 though I could not attend, I was available by telephone to speak with my attorneys and did speak with
15 them regarding the mediation before it took place, as well as during the mediation itself. I also spoke
16 with my attorneys after the mediation and discussed the proposed settlement. I was very satisfied with
17 the terms of the settlement that was agreed to by the parties. When the settlement papers were ready, I
18 again spoke with my attorneys and reviewed the settlement agreement, which I signed December 18,
19 2023.

20 12. **Participation:** Since I retained PAGA Counsel nearly one and one-half years ago, I have
21 been actively involved with this lawsuit performing the duties described above. While I did not keep
22 formal time records, I was in regular contact with my attorneys, reviewed important court filings, and
23 spent considerable time on the issues presented during the litigation and in the settlement process. I
24 estimate that I spent approximately 20 to 30 hours working on this case.

25 13. Also, my attorneys explained to me that the settlement process involved review by the
26 Court to determine whether the settlement was fair before ordering that the settlement be funded and
27 paid.

14. Ultimately, I believe I did the right thing in pursuing this case on behalf of the class who now stand to receive substantial monetary payments as a result of this case and settlement.

15. Further, I support my attorneys' application for a PAGA Counsel Award in the amount of up to \$73,333.33, plus costs and expenses of up to \$20,000.00 for reimbursement of actually incurred litigation expenses.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed 03/27/2024, at Petaluma, California

By: Pasha Kraft (Mar 27, 2024 15:45 PDT)
PASHA KRAFT