

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)
Jackland K. Hom (State Bar #327243)
Julieann Alvarado (State Bar #334727)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619)255-9047
Facsimile: (858) 404-9203
shani@zakaylaw.com
jackland@zakaylaw.com
julieann@zakaylaw.com

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 599-8292
Facsimile: (619) 599-8291
jlapuyade@jcl-lawfirm.com

Attorneys for Plaintiff ABIGAIL CHAMBERLAN

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF YOLO

ABIGAIL CHAMBERLAN, an individual(s),
on behalf of herself and on behalf of all persons
similarly situated,

Plaintiff,

vs.

CLASSIC VMS, INC., (dba WOODLAND
BODY WORKS and COLLISION PROS), a
California Corporation; COLLISION PRO'S
INC., a California Corporation; and DOES 1
through 50, Inclusive,

Defendants.

Case No. CV2022-0652

**DECLARATION OF ABIGAIL
CHAMBERLAN IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: December 5, 2023

Time: 10:00 a.m.

Judge: Hon. Samuel T. McAdam

Dept.: 10

1 I, ABIGAIL CHAMBERLAN, 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 lead named Plaintiff in the
4 above wage and hour class action filed against CLASSIC VMS, INC., (dba WOODLAND BODY
5 WORKS and COLLISION PROS), a California corporation; and COLLISION PRO'S INC., a
6 California corporation (hereinafter "Defendants").

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

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

12 4. I was employed by Defendants from November of 2020 to July of 2021 as a non-exempt
13 employee. At all times during my employment, I was denied legally compliant meal and rest periods,
14 minimum wages and overtime compensation. Throughout my employment, I was subject to
15 Defendant's written policies and procedures contained in, among other documents, the "Employee
16 Handbook."

17 5. Generally, my lawsuit claims that Defendants failed to pay for all time worked, failed
18 to calculate non-discretionary bonuses into the regular rate of pay, failed to provide compliant meal
19 and rest periods, failed to reimburse for mandatory business expenses, failed to furnish accurate
20 itemized wage statements, and failed to pay all wages upon separation.

21 6. I believe that my claims are typical of the claims of the Class Members that I am seeking
22 to represent because I was subject to the same alleged unlawful employment policies and practices at
23 issue in this action, including but not limited to, Defendants' failure to provide compliant meal and
24 rest periods, failure to reimburse for mandatory business expenses, failure to furnish accurate itemized
25 wage statements, failure to pay for all hours worked, failure to correctly calculate the regular rate of
26 pay, and failure to pay all wages when due. Factually, Defendants' policies and practices apply class
27 wide, and Defendants' liability can be determined by facts common to all members of the Class.

1 7. Further, there is no conflict between my interests and the interests of the class that I am
2 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that
3 I was injured by the same company-wide policies and practices to which the proposed Class was
4 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
5 of the Class by initiating this litigation, undertaking extensive class discovery, and evaluating the
6 proposed settlement to assure that it is fair.

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

16 9. I do not have an interest, direct or indirect, in the chosen Cy Pres – the Legal Services
17 of Northern California, Inc.

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

21 I declare under the penalty of perjury under the laws of the State of California that the foregoing
22 is true and correct. Executed on Nov 6, 2023, in Woodland, California.

23
24 By: 
25 ABIGAIL CHAMBERLAN
26
27
28