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County of Santa Clara,  
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Case #20CV375150  
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*Attorneys for Plaintiff*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SANTA CLARA**

JACOB BLEA, individually, and on behalf of  
aggrieved employees pursuant to the Private  
Attorneys General Act (“PAGA”);

Plaintiff,

v.

PACIFIC GROSERVICE INC., a California  
corporation; PITTSBURG WHOLESALE  
GROCERS, INC. d/b/a PITCO FOODS, a  
California corporation; and DOES 1 through  
100, inclusive;

Defendants.

Case No.: 20CV375150

Assigned for All Purposes to:  
Honorable Sunil R. Kulkarni  
Department 1

**CLASS ACTION**

**DECLARATION OF JACOB BLEA IN  
SUPPORT OF PLAINTIFF’S MOTION  
FOR FINAL APPROVAL OF CLASS  
ACTION SETTLEMENT, ATTORNEY  
FEE AWARD, COST AWARD, AND  
CLASS REPRESENTATIVE  
ENHANCEMENT PAYMENT**

[Notice of Motion and Motion for Final  
Approval; Declaration of Class Counsel  
(Douglas Han); Declaration of Settlement  
Administrator (Veronica Olivares); and  
[Proposed] Order and Judgment filed  
concurrently herewith]

Hearing Date: June 8, 2023  
Hearing Time: 1:30 p.m.  
Hearing Place: Department 1

Complaint Filed: December 28, 2020  
FAC Filed: May 11, 2022  
Trial Date: None Set



1 I decided starting a PAGA lawsuit (later amended to include class action allegations) to stop  
2 Defendants' improper, uniform practices was worth sacrificing potential individual claims.

3 5. I initially provided written notice to the California Labor and Workforce  
4 Development Agency ("LWDA") and Defendants. I then filed a representative PAGA action in  
5 the Superior Court of California, County of Santa Clara. After engaging in discovery,  
6 investigations, and negotiations, Defendants and I decided to remotely attend mediation with the  
7 hopes of reaching a settlement. Under the auspices of the mediator after a full day of mediation,  
8 Defendants and I managed to negotiate a settlement. In line with the settlement, I filed a First  
9 Amended Complaint that added eight (8) wage-and-hour class action causes of action based on  
10 the information uncovered before and during mediation.

11 6. Since starting this case, I spent over fifty-five (55) hours meeting with my  
12 attorneys concerning the case and performing my responsibilities as a class representative.  
13 These many responsibilities included, among other things: (a) gathering my employment  
14 documents (*i.e.*, personnel records) to give my attorneys an idea of the policies, practices, and  
15 procedures I was exposed to; (b) reviewing documents with my attorneys and answering all  
16 their questions and inquiries; (c) providing the names and contact information of several  
17 putative class members for my attorneys to locate and interview; (d) speaking with other current  
18 and former employees of Defendants to gather support for my claims; (e) providing guidance  
19 regarding other employees' duties and responsibilities to help determine commonality and  
20 typicality; (f) discussing my employment experience (and work environment created by  
21 Defendants); (g) reviewing the operative complaints, pleadings, and Settlement Agreement (and  
22 exhibits); (h) reviewing the written notices sent to the LWDA and Defendants; (i) aiding my  
23 attorneys look over Defendants' answer to the operative complaint; (j) helping my attorneys  
24 develop a strategy to obtain additional documents from Defendants and other sources; (k)  
25 looking over my attorneys' formal discovery requests before propounding them onto  
26 Defendants; and (l) preparing for and making myself available all day to remotely participate in  
27 and provide my input for mediation. I also routinely checked in with my attorneys and their  
28 staff to ensure they had my most current information and any additional material I obtained.

1           7.       Throughout this case, I made myself available to meet and speak with my  
2 attorneys whenever they needed me. I responded to my attorneys' questions and inquiries as  
3 quickly as possible and gave them as much information as I could gather (*i.e.*, names and  
4 contact information of several putative class members, various violations I experienced and  
5 witnessed, policy documents I was given during my employment). I also spent at least eight to  
6 nine (8-9) additional hours discussing the case with my attorneys (*i.e.*, applicable legal theories  
7 to explore, pertinent information to request, importance of the documents produced, relative  
8 strengths of certain allegations) and sending them relevant documents and information. The aid  
9 I provided my attorneys played an important role in allowing this matter to eventually settle as  
10 opposed to being litigated for several more months, or even years.

11           8.       The description of my work experience coupled with authorizing the receipt of  
12 my employment documents helped my attorneys develop their legal theories and determine the  
13 extent and frequency of the alleged day-to-day violations. In addition, by providing the names  
14 and contact information of several putative class members, my attorneys located and  
15 interviewed them, allowing my attorneys to corroborate the legal theories already developed.  
16 Collectively, this information refined my attorneys' understanding of the policies, practices, and  
17 procedures in place and informed them of the legal theories to further develop and emphasize at  
18 mediation. In other words, my assistance was integral to preparing my attorneys for mediation,  
19 thereby increasing the likelihood of negotiating an excellent settlement.

20           9.       During discovery, I spent over an entire day digging through emails seeking  
21 documents and information that would be responsive to potential discovery requests. In fact,  
22 discovery was another essential component that contributed to the settlement of this case. For  
23 instance, the several consultations with my attorneys assisted them with determining the  
24 relevant documents to request and gather from Defendants and other sources (*i.e.*, personnel  
25 records, employee handbook, sampling of time and pay records, etc.) By extension, obtaining a  
26 correct sampling of time and pay records aided my attorneys with accurately calculating  
27 potential damages for mediation purposes, giving them the necessary leverage to negotiate an  
28 exceptional settlement. I was also informed I may be called in for a deposition at one point.

1 While I was ultimately not deposed, I was ready and willing to spend as much time as necessary  
2 to give my testimony regarding the violations I experienced and witnessed.

3 10. Regarding the settlement itself, I was available to answer any questions my  
4 attorneys had. During mediation, I made myself accessible all day via phone call and Zoom to  
5 respond to any inquiries and provide my input regarding the negotiations. When my attorneys  
6 asked me to review the Settlement Agreement (and exhibits), I took about two (2) hours to  
7 review it. I then spent around an hour asking questions and discussing the terms and provisions  
8 of the settlement with my attorneys before signing it.

9 11. Before initiating this case, I was advised by my attorneys I might have difficulty  
10 finding employment in the future compared to candidates who have not been a part of class  
11 action and/or PAGA lawsuits against their employers. Furthermore, as a class representative, I  
12 was required to provide a broader release compared to other Class Members. This included a  
13 general release of all known or unknown claims and a waiver of Civil Code section 1542.  
14 Consequently, it was a serious risk being a part of a class action and PAGA lawsuit, but I did  
15 not allow this to deter me from seeking justice on behalf of my former coworkers.

16 12. For the better part of over two and one-half (2.5) years, I have done everything  
17 my attorneys have asked of me and tried to represent the Class to the best of my abilities. In  
18 fact, I think my efforts greatly contributed to getting the results obtained herein. Thus, as a class  
19 representative, I request the Court award me a Class Representative Enhancement Payment of  
20 \$10,000 for my active participation and sacrifices in this matter.

21 13. Serving as a class representative is not something I took lightly. Considering the  
22 time dedicated, benefits conferred to the Class, lack of personal benefits received (*i.e.*, forgoing  
23 potential individual claims to be a part of a class action and PAGA lawsuit instead of filing a  
24 quicker individual lawsuit), risking a judgment of attorneys' fees and costs entered against me,  
25 agreeing to a broader release, and losing a potential source of income, I believe the Class  
26 Representative Enhancement Payment is reasonable and justified.

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