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Attorneys for Plaintiffs JACQUELINE  
IBARRA, and the CERTIFIED CLASS

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JACQUELINE F. IBARRA, an  
individual on behalf of herself and all  
other similarly situated,

Plaintiff,

vs.

WELLS FARGO BANK, NA.; and  
DOES 1 through 50, inclusive,

Defendants.

Case No.: CV 17-04344-PA (ASx)

Judge: Hon. Percy Anderson

**DECLARATION OF JACQUELINE  
F. IBARRA IN SUPPORT OF CLASS  
COUNSEL'S MOTION FOR AN  
AWARD OF ATTORNEYS' FEES  
AND COSTS AND AWARDED  
CLASS REPRESENTATIVE  
SERVICE AWARD**

Date: July 16, 2018

Time: 1:30 p.m.

Crtrm: 9A

**DECLARATION OF JACQUELINE IBARRA**

1  
2  
3 I, Jacqueline Ibarra, declare as follows:

4 1. I am a resident of the State of California and am over the age of 18. I have  
5 personal knowledge of the matters stated herein. If called as a witness, I could and  
6 would testify truthfully and competently thereto under oath.

7 2. I am the named Plaintiff in this litigation. This declaration is submitted in  
8 support of Plaintiffs’ Motion for Approval of Attorneys’ Fees, Costs and  
9 Enhancements.

10 3. I was employed by Wells Fargo for approximately seventeen (17) years. I  
11 began my employment with Wells Fargo in 2001 as a bank teller, and became a Home  
12 Mortgage Consultant (“HMC”) for Wells Fargo in 2004, which lasted through 2017.  
13 My primary job duty as an HMC was to originate home mortgage loans, which entailed  
14 prospecting for customers, taking applications, and guiding applicants through a  
15 process that culminated in the funding of a mortgage loan. I and other HMC’s also  
16 were required to perform additional duties including servicing walk in customers  
17 general banking questions and needs, assisting loan customer’s customer service needs  
18 after funding of a mortgage loan, cross selling other Wells Fargo products and services  
19 such as credit card accounts, bank accounts and auto pay and consultation and referral  
20 of loan customers and walk in customers to other Wells Fargo specialty services such  
21 as Wells Fargo Financial Advisors and Commercial Banking Services.

22 4. Throughout my years of employment with Wells Fargo, I had concerns  
23 about several issues occurring at work, including how we weren’t paid for any of our  
24 rest break time because we are only paid for our sales commissions. I had discussions  
25 with other employees and many of them shared the same concerns.

26 5. In or around January 2017, I learned that another employee and colleague,  
27 Patricia Barreras, had consulted a lawyer Paul Stevens of Stevens, LC, to review  
28 her/our situation at Wells Fargo and 1) determine if we were being treated incorrectly

1 with regard to our wage rights, and 2) if we were not being treated properly under the  
2 law, could take legal action against such a powerful company.

3 6. After several with discussions with Patricia, I met and had several  
4 discussions with Mr. Stevens and another lawyer, Joshua Haffner of Haffner Law. I  
5 had several discussions over the telephone and met with Mr. Stevens and Mr. Haffner  
6 in person.

7 7. After thorough discussions with counsel and much thought, Patricia  
8 Barreras and I decided to seek to vindicate not only my own rights, but also those of  
9 my former co-workers by serving as a class representative in this class-action lawsuit.  
10 I accepted the potential risk explained to me by counsel of perhaps being liable for my  
11 employer's costs and perhaps even its attorney's fees if we were unsuccessful in this  
12 lawsuit. In addition, I know that the mortgage industry is connected community, and I  
13 worried about getting black-balled from being able to work somewhere else as a  
14 mortgage broker. This was a significant concern as my family depends on my  
15 employability. I started my involvement in this case prior to leaving Wells Fargo and  
16 since leaving the company, I discovered first hand about the stigma of being involved  
17 in a case against an employer. It has been a hurdle for me to deal with and one I  
18 imagine that I will continue to have to deal with in the future. Nevertheless, I felt it  
19 was important to pursue this issue despite the risk to my career.

20 8. Shortly after filing this case, and following what I was informed was early  
21 discovery and exchange of information with Wells Fargo, I was informed that the other  
22 proposed class representative needed to be dismissed, and it was decided that I would  
23 be the sole class representative in this matter, pursuant to an Amended Class Action  
24 Complaint.

25 9. Since seeking legal representation in this case and combined with the time  
26 I spent prior thereto researching issues on my own as described above, I have spent a  
27 substantial amount of time and energy contributing to the investigation and prosecution  
28

1 of this case. Since meeting my counsel in early 2017 up through the present date, I  
2 have exchanged emails, text messages, and many phone calls with my counsel, in  
3 addition to meeting with counsel five (5) times in person during the case proceedings.

4 10. During this entire process, I have always had the best interests of the class  
5 in mind and worked hard on their behalf. Over the past almost 1 ½ years, I have been  
6 in regular and close contact with my attorneys and have worked with my attorneys to  
7 explain the facts of this case in every aspect they needed.

8 11. Throughout the litigation, I searched for, organized and produced  
9 documents that I had from my employment and helped my attorneys understand Wells  
10 Fargo's policies, procedures, expectations, practices, and business. In addition, I had  
11 several phone calls with my counsel reviewing these policies, procedures, and  
12 documents. I also assisted in preparation of the evidence and facts submitted for our  
13 Motion for Summary Judgement of liability.

14 12. Additionally, I had discussions with many other employees about their  
15 concerns. I estimate that I had at least 500 phone calls, texts or emails concerning the  
16 case.

17 13. I also had my deposition taken. In preparation for the deposition, I met  
18 with my attorneys for several hours both in person and by telephone, and met after to  
19 discuss and clarify issues that I felt Wells Fargo deliberately misconstrued in my  
20 deposition, which included misleading questions on what the paycheck demonstrated.

21 14. I also worked with my counsel to help prepare discovery requests and  
22 spent a significant amount of time assisting my attorneys in preparing responses to  
23 interrogatories and requests for production. I also reviewed the documents provided by  
24 Wells Fargo and discussed them in detail with my attorneys. Over the time that this  
25 case has been pending, I have communicated with my attorneys many times about  
26 issues in this case, about data provided, about defenses claimed, about my job  
27 responsibilities and about Wells Fargo's pay policies.

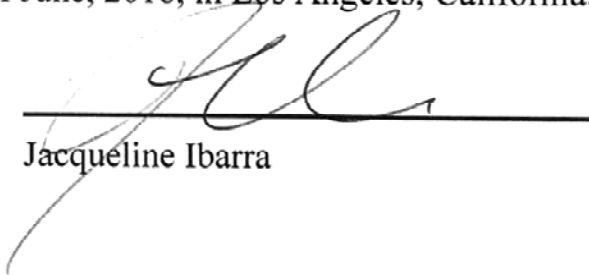
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1           15. I was involved in each step of this case, as they occurred throughout this  
2 case. This includes the potential issues concerning arbitration agreements in Wells  
3 Fargo's employment agreements, amending the claims from the original complaint and  
4 agreeing to serve as the only class representative, class certification, the class notice,  
5 the preparation of the evidence to support our position for summary adjudication and  
6 trial. I also assisted with the mediation that occurred. I did not attend the mediation,  
7 but I was on call during it and provided my input as was necessary. After the mediation  
8 I continued to give my input.

9           16. I have continued to stay active in the litigation by fielding  
10 communications from interested Class Members and directing them to my attorneys as  
11 instructed by them.

12           17. In sum, I have spent considerable time and attention working on this case.  
13 Based on all of the above described events, I estimate and hereby attest that I have  
14 spent at least 100 hours (probably well more) working with my attorneys, or on matters  
15 directed by my attorneys, on the duties and issues described above.

16           I declare under penalty of perjury, under the laws of the State of California and  
17 the United States, that the foregoing is true and correct to the best of my personal  
18 knowledge. Executed this 14<sup>th</sup> day of June, 2018, in Los Angeles, California.

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22 Jacqueline Ibarra  
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