ELECTRONICALLY DANIEL F. GAINES, ESQ. SBN 251488 1 daniel@gaineslawfirm.com FILED 2 ALEX P. KATOFSKY, ESQ. SBN 202754 BY SUPERIOR COURT OF CALIFORNIA. alex@gaineslawfirm.com COUNTY OF NEVADA 3 EVAN S. GAINES, ESQ. SBN 287668 06/06/2023 evan@gaineslawfirm.com KIMBERLY FLENER, CLERK OF THE COURT 4 GAINES & GAINES, APLC MELISSA MORGAN, DEPUTY 4550 E. Thousand Oaks Blvd., Suite 100 5 Westlake Village, CA 91362 Telephone: (818) 703-8985 6 Facsimile: (818) 703-8984 7 Attorneys for Plaintiff Cher Lee Faacks and Proposed Class Counsel 8 9 SUPERIOR COURT OF THE STATE OF CALIFORNIA 10 FOR THE COUNTY OF NEVADA 11 CHER LEE FAACKS, individually and on CASE NO: CU19-084121 12 behalf of all similarly situated individuals. Assigned to the Hon. S. Robert Tic-Raskin, Dept. 6 13 Plaintiff, **CLASS ACTION** 14 v. DECLARATION OF CHER LEE FAACKS IN 15 SUPPORT OF UNOPPOSED MOTION FOR STORAGEPRO MANAGEMENT, INC., a California corporation, and DOES 1 PRELIMINARY APPROVAL OF CLASS 16 through 10, inclusive, ACTION SETTLEMENT AND SEEKING LEAVE TO FILE SECOND AMENDED 17 **COMPLAINT** Defendants. 18 **DATE: June 16, 2023** 19 TIME: 10:00 a.m. DEPT.: 6 20 Complaint Filed: September 13, 2019 21 22 23 24 25 26 27 -1-28 DECLARATION OF CHER LEE FAACKS IN SUPPORT OF UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND SEEKING LEAVE TO FILE SECOND AMENDED

**COMPLAINT** 

I, CHER LEE FAACKS, hereby declare and state as follows:

- 1. I am the named Plaintiff in this lawsuit against Defendant Storagepro Management, Inc. ("Defendant") and I submit this declaration in support of Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement and Seeking Leave to File Second Amended Complaint. I am a competent adult and worked for Defendant as a non-exempt employee in Nevada County during the relevant time period. I have personal knowledge of the facts set forth herein, and if called as a witness to testify to them, I could and would do so competently.
- 2. I contacted my current attorneys when I questioned the employment practices of Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a Class Representative in a class action on behalf of other employees of Defendant whom I believed were being subjected to labor law violations. Although presented with the opportunity, I did not pursue this case on an individual basis and instead did so as a class action so that I could help other employees recover for what I believed were Defendant's illegal practices.
- 3. Specifically, I questioned Defendant's policies of failing to pay all minimum and overtime wages, failing to provide meal and rest periods, failing to reimburse employees business expenses, and issuing its employees deficient wage statements. Through many discussions with my lawyers, I learned these may be illegal practices and Defendant's employees might have recourse for them.
- 4. By bringing this lawsuit, and throughout its course, I have put the interests of the class ahead of my own. I understood that I could possibly earn a small enhancement payment if this case resolved itself favorably, but always knew that I could also be responsible for paying Defendant's attorneys' fees and costs if it did not. My goal in bringing this lawsuit was to obtain a recovery on behalf of the class, and even more importantly, to put an end to what I believed were illegal practices on the part of Defendant. I believe I have achieved both through this lawsuit and settlement.

- 5. I am very happy about the results of this litigation. I am satisfied that Defendant is compensating class members for unpaid wages, business expenses, penalties, and interest that I believe we are due.
- 6. At the onset of this case, I spent time through numerous phone calls with several of my attorneys explaining what I understood to be the policies and procedures of Defendant and how they were applied to me and others I worked with. During the course of this litigation, up through and following the settlement process, I kept actively involved with its status, tracking the status of the case and participating as much as possible.
- 7. While I have not maintained detailed time records of my activities in connection with this litigation, I believe that have spent a total of approximately 25 hours assisting my attorneys with the preparation of this case, and doing work and analysis independent from my attorneys both before and during this case, including conducting an independent investigation of the facts and attending a full-day mediation.
- 8. Before this litigation commenced, and throughout its course, I have spent approximately 12.5 or more hours gathering, organizing, and reviewing documents and information for this lawsuit. I sifted through many of my own documents and reviewed information produced by Defendant as part of this case.
- 9. I have communicated with my attorneys several times per month to track my case's status. I have taken an active involvement in this matter throughout its course, including assistance to my attorneys at the mandatory settlement conferences and at my deposition.
- 10. This lawsuit will almost certainly result in reputational harm to me. There is a stigma associated with suing anyone, let alone your former employer. I will probably be adversely affected when it comes to obtaining future employment employers who learn that I sued Defendant in a class action will likely avoid hiring me.
- 11. I do not believe that I have any conflicts with other members of the class. My interests in bringing this lawsuit for Defendant to change its labor practices going forward and to compensate current and former employees are the same as those of all other class members.

1	I declare, under penalty of perjury, under the laws of the State of California that the
2	foregoing is true and correct.
3	Executed on May 15, 2023 at Sacramento, California.
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	DECLARATION OF CHER LEE FAACKS IN SUPPORT OF UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND SEEKING LEAVE TO FILE SECOND AMENDED COMPLAINT