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19 **SUPERIOR COURT OF CALIFORNIA**
20 **FOR THE COUNTY OF SACRAMENTO**

21 KALI BATES and MICHAEL JOHNSON,
22 individually and on behalf of all other
23 similarly situated employees,

24 Plaintiffs,

25 vs.

26 MVP EVENT PRODUCTIONS, LLC,
27 LEGENDS HOSPITALITY, LLC; Does 1
28 through 20, inclusive,

Defendants.

Case No. 34-2022-00317653

*Assigned for All Purposes to Hon. Jill Talley,
Department 27*

CLASS ACTION

**DECLARATION OF KALI BATES IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Reservation No. A-317653-001

Date: January 19, 2024

Time: 9:00 a.m.

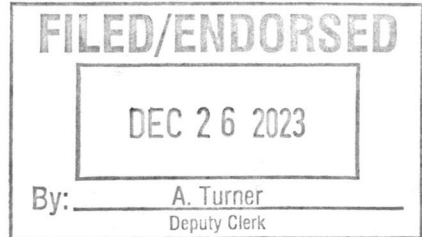
Dept.: 27

Judge: Hon. Jill Talley

Filed: May 18, 2022

FAC Filed: October 25, 2022

Trial Date: None Set



BY FAX

1 I, Kali Bates, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this
3 declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in support
4 of Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement.

5 2. I worked for MVP Event Productions, LLC and Legends Hospitality, LLC
6 ("Defendant") from approximately August 2021 to January 2022 as a non-exempt Bartender and Event
7 Staff at various concert and sports venues around Northern California. I was subject to all of the
8 policies and practices that have been alleged as unlawful in the Complaint and the notice sent to the
9 Labor and Workforce Development Agency, including the following: 1) willfully misclassifying
10 workers as independent contractors; 2) failing to pay all minimum wages; 3) failing to pay all overtime
11 wages; 4) failing to keep accurate records; 5) failing to provide meal periods or pay premiums in lieu
12 thereof; 6) failing to provide rest periods or pay premiums in lieu thereof; 7) failing to provide accurate
13 wage statements; 8) failing to pay final wages; 9) failing to timely pay wages during employment; 10)
14 failing to pay reimbursements for personal cellphone use and milage; 11) failing to pay reporting time;
15 12) failing to provide or pay all sick time; and 13) failing to correctly calculate employees' regular rates
16 of pay when bonuses were paid.

17 3. I have actively participated in the litigation of this case for the benefit of all Class
18 Members. My attorneys explained to me the risks and benefits of bringing a class action and a claim
19 under the Private Attorneys General Act ("PAGA"). I understood that pursuing the case as a class and
20 PAGA action meant that it would take substantially longer than pursuing my claims individually,
21 whether in Court or with the California Labor Commissioner, and that I risked getting nothing in the
22 end, but I believed it was important to make sure that Defendants followed the law for everyone. I
23 understood that I took on the risk, both professionally and financially, in pursuing the case as a class
24 and PAGA action rather than pursuing my claims individually. As a Class Representative, I also took on
25 the risk of having to pay the defendants' costs if we were unsuccessful in bringing our claims.

26 4. During the course of this litigation, I have given detailed accounts of all the facts related
27 to my employment. I provided my attorneys with extensive documentation that I believe supported the
28 claims. I met with and assisted my attorneys in understanding these documents and providing

1 information about MVP Event Production, LLC's and Defendant's policies and practices as they
2 applied to me and how I believed they applied to other employees.

3 5. The work I performed for this case included gathering paperwork including timecards,
4 text messages, emails, and tax returns. I also provided pictures of totals paid at end of shift.

5 6. I participated in the negotiations and settlement discussions in this case, including
6 participating in mediation by phone, speaking with my attorneys to answer questions, provide any
7 additional information needed to assist the negotiations, and discussing the potential terms of the
8 Agreement to evaluate its adequacy. Throughout the course of this litigation, I have asked questions
9 when I needed clarification about various aspects of this case to make sure there were continually steps
10 taken to advance the interests of Class Members.

11 7. Although I have already spent a substantial amount of time on this case and assisting my
12 attorneys, I expect the amount of time I spend on this case will increase if preliminary approval is
13 granted because Class Members will likely reach out to me about the Settlement and the process for
14 receiving payment.

15 8. I have not received any benefits as a result of filing this lawsuit. I have, however,
16 experienced substantial burdens as a result of filing the lawsuit that other Class Members were not
17 subject to. For example, in bringing the lawsuit, I assumed the risk of having to pay the defendants'
18 costs if the Court or jury rules against us on the claims. My understanding is that this is a substantial
19 risk because the costs associated with litigation, in general, are very high and this cost is multiplied
20 many times over in complex litigation like class actions. I have spent a substantial amount of time in
21 this case, securing a monetary benefit for many individuals who have not had to do anything to have
22 the opportunity to receive it. As part of the Settlement, I am the only individual providing a general
23 release of all my individual claims and waiving the protections of California Civil Code section 1542
24 for unknown claims. No other Class Member is subject to such a broad release.

25 9. I have reviewed the final Joint Stipulation of Class Action and PAGA Settlement and
26 Release, discussed the terms with my attorney, and asked my attorney any questions I had. I believe
27 the terms of the Settlement and allocations are fair and reasonable given the facts of the case.
28






Bates-Johnson Decl of KB ISO PAMv1 bb 12-10-23[39][77]

Final Audit Report

2023-12-21

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