

FILED/ENDORSED

DEC 26 2023

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Deputy Clerk

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18 on behalf of himself and similarly situated employees

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, and
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 MICHAEL JOHNSON
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, Michael Johnson, 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 Defendants MVP Event Productions, LLC and Legends Hospitality, LLC
6 (“Defendants”) from approximately January 12, 2022 to March 14, 2022 as a non-exempt employee. I
7 was subject to all of Defendants' policies and practices that have been alleged as unlawful in the
8 Complaint and the notice sent to the Labor and Workforce Development Agency.

9 3. I have actively participated in the litigation of this case for the benefit of all Class
10 Members. After securing Shimoda & Rodriguez Law, PC, I continued to be actively involved in the
11 case to help ensure a positive outcome.

12 4. My attorneys explained to me the risks and benefits of bringing a class action and a
13 claim under the Private Attorneys General Act (“PAGA”). I understood that pursuing the case as a
14 class and PAGA action meant that it would take substantially longer than pursuing my claims
15 individually, whether in Court or with the California Labor Commissioner, and that I risked getting
16 nothing in the end, but I believed it was important to make sure that Defendant followed the law for
17 everyone. I understood that I took on the risk, both professionally and financially, in pursuing the case
18 as a class and PAGA action rather than pursuing my claims individually. As a Class Representative, I
19 also took on the risk of having to pay Defendant's costs if we were unsuccessful in bringing our claims.

20 5. During the course of this litigation, I have given detailed accounts of all the facts related
21 to my employment. I provided my attorneys with extensive documentation that I believe supported the
22 claims brought against Defendant. I met with and assisted my attorneys in understanding these
23 documents and providing information about Defendant’s policies and practices that applied to myself
24 and other Class Members. The work I performed for this case included searching for and reviewing
25 documents and explaining to my attorneys what was happening and why I thought it was unlawful. For
26 example, I provided documents to my attorneys, including MVP Event Productions, LLC’s
27 employment policies in my possession. I also provided my attorneys with all text messages and e-mails
28 between myself and MVP Event Productions, LLC.

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

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

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

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

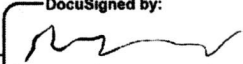
24 10. I understand that any Class Representative Enhancement Payment I may receive is for
25 my participation as a Class Representative and it is not contingent on my support or approval of the
26 Agreement.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 21, 2023 in Sacramento , California.

DocuSigned by:

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