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12 Attorneys for Plaintiff JANICE INSIXIENGMAY on behalf
13 of herself and similarly situated employee

14 **UNITED STATES DISTRICT COURT**
15 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

16 JANICE INSIXIENGMAY, individually and
17 on behalf of all other similarly situated
18 employees,

19 Plaintiff,

20 vs.

21 HYATT CORPORATION DBA HYATT
22 REGENCY SACRAMENTO, a Delaware
23 Corporation; and DOES 1 to 100, inclusive,

24 Defendants.

Case No. 2:18-cv-02993-TLN-SCR

CLASS ACTION

**DECLARATION OF JANICE INSIXIENGMAY
IN SUPPORT OF PLAINTIFF’S MOTION FOR
FINAL APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: September 19, 2024

Time: 2:00 p.m.

Courtroom: 2, 15th Floor

Judge: Hon. Troy L. Nunley

Filed: October 4, 2018

FAC Filed: April 7, 2020

SAC Filed: April 6, 2023

Trial Date: None Set

1 I, Janice Insixiengmay, 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 Plaintiff's Motion for Final Approval of Class Action and PAGA Settlement.

5 2. I have worked for Defendant Hyatt Corporation dba Hyatt Regency Sacramento
6 ("Defendant") since approximately April 2015 as a non-exempt employee. My work schedule has
7 varied to include shifts covering every day of the week and different shifts over the course of the day
8 and overnight. I regularly work with other non-exempt employees across the property. I was subject to
9 all of Defendant's policies and practices that have been alleged as unlawful in the Complaint and the
10 notices sent to the Labor and Workforce Development Agency, including Defendant's policy and
11 practice regarding calculating the regular rate of pay, which failed to include the value of all types of
12 premium pay for the purpose of paying overtime, meal and rest premiums, and paid sick time, as well
13 as the meal and rest period scheduling practices and working conditions I contend caused myself and
14 other employees to miss meal and rest periods.

15 3. I have actively participated in the litigation of this case for the benefit of all Class
16 Members. Prior to obtaining an attorney, I performed several hours of research trying to find a quality
17 attorney to handle the claims. I also performed several hours of research on the potential claims, so I
18 could be sure I could have an informed discussion with the attorneys about the claims and have a better
19 idea of what to expect in litigation and how to help the case proceed. After securing Shimoda &
20 Rodriguez Law, PC, I continued to be actively involved in the case to help ensure a positive outcome.

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

1 5. I have given a detailed account of all the facts related to my employment, providing my
2 attorneys with all the information and documentation I had and could find to help obtain the best result
3 for the class as a whole. I provided documentation in support of the claims brought against Defendant.
4 I assisted my counsel with document review for all the company policies at issue, timecards, paystubs,
5 and other personnel documents, including explaining the context and implementation surrounding each
6 policy in case the language was misleading or the document was confusing. For example, I provided
7 over 700 pages of documents to my attorneys including payroll records, policies, and relevant
8 correspondence with Defendant. I spent a substantial amount of time going over the facts with my
9 attorneys and providing context for the documents I produced. I reviewed the paystubs with my
10 attorneys to help them identify all the different types of premium pay that existed and what the criteria
11 was for the amounts being paid. The review became even more detailed when my attorneys asked me
12 questions about the payroll data sample that was produced in discovery and, later, the further payroll
13 data productions that were included in the informal document exchange for mediation. The discussions
14 and information included all aspects of the claims in the lawsuit. I have worked at the company for a
15 long time. Given my experience in a variety of shifts worked, days worked, and regular interaction
16 with other employees across the property, I am aware of the working conditions for fellow employees
17 and how these practices applied to them. I was able to discuss the similarities of the wage and hour
18 policies and practices among all Class Members. As the case continued, I also continued to provide my
19 counsel with additional information and documentation as needed. I spent a substantial amount of time
20 identifying and speaking to potential witnesses who could speak to my attorneys to give their own
21 insights and provide declarations. I also responded to written discovery and had my deposition taken.
22 Furthermore, I assisted my counsel in preparing for the deposition of Valerie Saito, who was designated
23 as Defendant's Person Most Knowledgeable, regarding the wage and hour issues and policies alleged in
24 this lawsuit.

25 6. I participated in the March 20, 2023, mediation by phone, providing information and
26 assistance as necessary to help procure a more favorable result for the class. I had multiple
27 conversations with my attorneys throughout the day to discuss the factual and legal disputes as well as
28 the negotiation strategies being used. I was also involved and consulted with my counsel regarding

1 settlement negotiations prior to and after the mediation. This included a review of the class damages
2 calculations, facts they were based on, and revisions to the settlement agreement. Throughout the
3 course of this litigation, I have asked questions when I needed clarification about various aspects of this
4 case to make sure steps were continually taken to advance the interests of Class Members.

5 7. I have reviewed the final Joint Stipulation Regarding Class Action and PAGA
6 Settlement and Release, discussed the terms with my attorney, and asked my attorneys any questions I
7 had. Having gone through the settlement administration notice process and speaking with other Class
8 Members who approached me about the Settlement, I continue to believe the terms of the Settlement
9 and allocations are fair and reasonable given the facts of the case. Since May 7, 2024, the date I last
10 provided a declaration in connection with this case (Doc. No. 79-3), I have had several conversations
11 with other Class Members who have asked questions about the Settlement. No Class Member has
12 made any negative comments to me about the Settlement in any way. In fact, many have thanked me
13 for working to get the Settlement and have told me “good job” on several occasions. I believe Class
14 Members I have spoken with have all been positive about, and support, the Settlement.

15 8. I understand that any Class Representative Enhancement Payment I may receive is for
16 my participation as a Class Representative and it is not contingent on my support or approval of the
17 Agreement.

18 I declare under penalty of perjury under the laws of the United States of America that the
19 foregoing is true and correct. Executed on August 14, 2024, in Sacramento, California.

20
21 Janice Insixiengmay
Janice Insixiengmay (Aug 14, 2024 18:13 PDT)
22 Janice Insixiengmay