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13 *Attorneys for Plaintiffs and the Settlement Class*

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF LOS ANGELES**

16 DANIEL MARKO, JESUS CORONA, *on*
17 *behalf of themselves and others similarly*
18 *situated and in their capacity as Private*
19 *Attorneys General Representatives,*

20 Plaintiffs,
21 v.

22 DOORDASH, INC.,
23 Defendant.

Case No. BC659841

**DECLARATION OF DAMONE
BROWN IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES AND
COSTS**

Dept.: 7
Trial Date: None Set
Hon. Amy D. Hogue

Hearing Date: November 30, 2021
Hearing Time: 9:30 am

DECLARATION OF DAMONE BROWN

I, Damone Brown, declare, as follows:

1. I am the named Private Attorneys General Act (“PAGA”) representative in the action entitled *Brown v. DoorDash, Inc.*, Los Angeles Superior Court Case Number BC712973 and *Brown v. DoorDash, Inc.*, California Court of Appeals, 2d Appellate District Div. 8 Case No. B299813. I have personal knowledge of the facts stated in this declaration and, if called to testify, I could truthfully attest to the matters contained herein.

2. I have worked for Defendant DoorDash, Inc. (“Defendant”) as a Dasher in Los Angeles, California from approximately July 2017 through the present. As a Dasher I would receive a fee from Defendant for each delivery completed and, on occasion, received tips from customers in addition to the delivery fees. I was not paid an hourly wage by Defendant.

3. I brought this action on behalf of myself, other similarly situated individuals who worked for Defendant as Dashers, and on behalf of the State of California.

4. During my employment with Defendant, I was consistently misclassified as an independent contractor, exempt from California’s labor laws. As a result of being misclassified by Defendant as an independent contractor I was not compensated for all hours worked making deliveries. As a Dasher, I was required to use my own personal vehicle to make deliveries for Defendant. I was also required to use my personal mobile phone to access Defendant’s mobile app to receive delivery requests. I had to pay for all expenses related to the use of my mobile phone and to the use of my personal vehicle, including but not limited to insurance, maintenance, parking and gasoline. In addition, I believe that I was not provided with adequate meal periods and not provided all rest periods. As a result, I sought advice from the attorneys at Moss Bollinger LLP regarding my potential claims against Defendant.

5. In conversations with my attorneys, Jeremy Bollinger, Dennis Moss, and Ari Moss of Moss Bollinger, LLP, I learned that I not only had claims for unpaid wages, non-reimbursement of business expenditures, and meal and rest break violations, but I also had additional claims for inaccurate wage statements, untimely payment of final wages, related penalties and interest.

6. I engaged Moss Bollinger, LLP to represent me as a PAGA representative in the

1 matters referenced above.

2 7. I understand that I have retained counsel with skill and experience handling wage
3 and hour class actions, including representative PAGA actions like this one.

4 8. Since becoming a PAGA representative, I have communicated with my attorneys
5 about the lawsuit and the progress of this case on a regular basis. Either I called to check in on the
6 case or my attorneys contacted me at least once a month. I had numerous conversations with my
7 attorneys about this case, helped them evaluate the claims, and helped them to understand the
8 nature of Defendant's business and employment practices as they relate to the misclassification of
9 Dashers, the reimbursement policies, the meal and rest break policies and the daily work that I and
10 other similarly situated employees performed. I also assisted my attorneys with their investigation
11 of the case by, among other things, providing them documents that were relevant to my work for
12 Defendant (including downloading and copying all records maintained on my mobile phone
13 through Defendant's App), explaining Defendant's practices, and connecting them with other
14 Dashers.

15 9. I have been apprised of the settlement in *Marko et al. v. DoorDash, Inc.*, Los
16 Angeles County Superior Court Case No. BC659841. I believe that the settlement is a fair
17 compromise for the PAGA aggrieved employees. I have been apprised of the risks going forward,
18 that we could lose the case, or that we could win but Defendant would not be able to pay a
19 judgment, or that the case would be unduly delayed by the further appeal process. Based on these
20 risks, the settlement, in my opinion, is reasonable and fair.

21 10. I understand that as part of this settlement, in addition to releasing the claims I
22 alleged in my PAGA action complaint, I have agreed to dismiss *Brown v. DoorDash, Inc.*,
23 California Court of Appeals, 2d Appellate District Div. 8 Case No. B299813, that is currently
24 pending against Defendant. I am aware that the pendency of this appeal enhanced the value of this
25 settlement.

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I swear under penalty of perjury under the laws of the State of California that the foregoing is true and correct, this September 23, 2021, at Los Angeles, California.

DocuSigned by:

86B7DC177A6A420... Damone Brown