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10 Attorneys for Defendant
11 TRACKIN, CO.

**ELECTRONICALLY
FILED**

Superior Court of California,
County of San Francisco

02/23/2021
Clerk of the Court
BY: SANDRA SCHIRO
Deputy Clerk

12
13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14
15 **FOR THE COUNTY OF SAN FRANCISCO**

16 ADINA MEZA, an individual, on behalf of
17 himself and others similarly situated

18 **PLAINTIFF,**

19 v.

20 TRACKIN, CO.; and DOES 1 thru 50,
21 inclusive,

22 **DEFENDANTS.**

CASE NO. CGC-19-573185

[Case Assigned for All Purposes to Hon. Garrett
L. Wong, in Dept. 610]

DECLARATION OF FILIPPO BERETTA

Complaint Filed: January 25, 2019
FAC Filed: April 2, 2019
Trial Date: None Set

23 I, Filippo Beretta, declare:

24 1. I am a consultant with Motu Novu LLC. I was retained as a contractor by Trackin, Co.
25 (“Trackin”) to serve as Treasurer. During the time of the events related here, and currently, I oversee,
26 *inter alia*, the financial operations at Trackin. I have personal knowledge of these matters and, if called
27 as a witness, I could and would competently testify to the matters set forth herein.

28 2. Trackin is a small start-up company that, like many start-ups, uses technology to create a
platform for people to find flexible work in the gig economy. Specifically, Trackin’s business has been
to connect delivery drivers with businesses and restaurants.

3. On January 25, 2019, Plaintiff Adina Meza (“Plaintiff”) filed a class action complaint,
entitled *Adina Meza v. Trackin, Co.* (San Francisco County Sup. Court, Case No. CGC-19-573185),

Case No. CGC-19-573185

DECLARATION OF FILIPPO BERETTA

1 against Trackin in the San Francisco Superior Court (the “Action”). A First Amended Class Action
2 Complaint was filed on April 2, 2019.

3 4. On July 9, 2019, the parties attended a full-day mediation with mediator Hon. George
4 Hernandez (Ret.) in order to try to resolve the matter. In connection with the mediation I created an
5 updated profit and loss statement and balance sheet as of the financial quarter that ended on June 30,
6 2019 which showed net income of Trackin from April–June 2019 of negative \$107,383.13 and the total
7 liabilities and equity of Trackin on June 30, 2019 of \$304,973.42. These accurately reflected Trackin’s
8 financial condition at the time and were provided to plaintiffs’ counsel in connection with the
9 information exchange during settlement communications at the mediation.

10 5. As reflected in these financial documents, Trackin’s counsel and I explained to the
11 mediator and plaintiffs’ counsel that Trackin did not have significant assets, was not generating a profit,
12 and was at risk of ceasing its business in light of the Action.

13 I declare under penalty of perjury under the laws of the State of California that the foregoing is
14 true and correct. Executed on November 19th, 2020 in Quincy, Massachusetts.

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18 By:  _____

19 Filippo Beretta
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(PROOF OF SERVICE)
[CCP 1013(a)(3)]
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On February 22, 2021, I served all interested parties in this action the following documents described as **DECLARATION OF FILIPPO BERETTA** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Galen P. Sallomi
Steven L. Friedlander
SV Employment Law Firm PC
160 Bovet Road, Suite 401
San Mateo, CA 94402
gsallomi@svelf.com
sfriedlander@svelf.com

(BY MAIL) I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

BY ELECTRONIC MAIL TRANSMISSION: I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing (“EF”) System (<https://dir.tfaforms.net/271>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 22, 2021, at Woodland Hills, California.



Michelle Tanzer