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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF SANTA CRUZ**

ALEJANDRO OLIVARES, CESAR  
VALENZUELA, JUAN GALVEZ MARTINEZ,  
individually, on behalf of all others similarly  
situated, the State of California and other  
aggrieved persons,

Plaintiffs,

v.

LINDE GAS & EQUIPMENT, INC., a  
corporation; and DOES 1 through 10, inclusive,

Defendant.

Case No. 24CV01346

Assigned to the Hon. Timothy Schmal, Dept.  
10

**DECLARATION OF ALEJANDRO  
OLIVARES IN SUPPORT OF  
PLAINTIFFS’ MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Complaint Filed: May 9, 2024  
FAC Filed: May 21, 2025  
Trial Date: None set

**DECLARATION OF ALEJANDRO OLIVARES**

I, Alejandro Olivares, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a former employee of Linde Gas & Equipment, Inc. (“Defendant”). I worked for Defendant from approximately January 2002 to November 2023 as an hourly-paid non-exempt employee. My job was to deliver medical gases for hospitals in and around the San Francisco Bay Area. Throughout my employment, I was subject to all Defendant’s policies and practices that are alleged as unlawful in the letter that was submitted to the Labor & Workforce Development Agency (“LWDA”) On March 5, 2024 (“PAGA Notice”).

4. I started this lawsuit because I believed that I was not paid properly for all the hours that I worked, and I was not provided all of my meal and rest breaks.

5. As a representative for other employees who had similar experiences, I wanted to change Defendant’s policies to improve working conditions for all of us. I understood my duty as a class representative is to represent the best interests of the whole class, not just my own, to know about the lawsuit, and to assist my attorneys.

6. I have invested personal time and energy into this lawsuit. As described below, I have spent approximately 50 hours on this case. I made it a priority because I wanted to do everything I can to assist my attorneys and succeed.

7. Throughout this case, I spent time talking to my attorneys and their staff on the phone to get updates about the case and provide them with information. For example, my attorneys and I were able to identify instances when I was not paid correctly by talking about my work

1 experience. Before the mediation in October 2024, I spoke at length with my attorneys and their  
2 staff regarding the claims at issue, what to expect at the mediation, and what the outcome might  
3 be.

4 8. Since I decided to pursue these claims, I also spent time looking for relevant  
5 documents to share with my attorneys, including when I first contacted Wilshire Law Firm, before  
6 my attorneys filed the case, and again before the mediation. I also spent time reviewing legal  
7 documents, from the retainer agreement, to the complaint and settlement agreement, and discussed  
8 the terms in detail with my attorneys.

9 9. I made myself available on the day of mediation and was in contact with my  
10 attorneys, in case Defendant or the mediator had any questions or my attorneys needed my input  
11 about the negotiations.

12 10. I believe this is a good settlement, and I believe the settlement is fair, adequate, and  
13 reasonable, as my attorneys have explained that standard to me. I respectfully request that the Court  
14 approve it. I appreciate the opportunity to represent other employees in this lawsuit and am not  
15 only glad, but also relieved that I was able to recover compensation for all of us.

16 11. The decision to file a class action was not one I made lightly. I had concerns about  
17 the attention a publicly filed class action might attract because my name would be associated with  
18 a lawsuit that I filed against my former employer. I am aware that prospective employers might  
19 find out that I sued Defendant, which is stressful, but I felt that my concerns about my work  
20 experience were important, for me and for my co-workers, and that I should do something about  
21 it.

22 12. I also understand that there was financial risk in bringing this lawsuit. For example,  
23 I knew that if I did not prevail in this lawsuit I could potentially be responsible for Defendant's  
24 attorneys' fees and costs.

25 13. I understand that the settlement agreement authorized my attorneys to request a  
26 service award for me of up to \$10,000.00. I believe this amount is fair compensation for my time  
27 and effort on this case and the risks with respect to my reputation, my finances, and my future  
28 employment. In addition, the settlement requires that I enter into a general release that is broader

than the release that will bind other class members and includes claims that I may not be aware of now. I will not receive compensation other than what the settlement provides.

14. I believe that my involvement in this case helped other workers who were too afraid to say anything to management because they did not want to risk losing their jobs or risk the potential repercussions of suing an employer. I chose to assume those risks because I felt these claims were important and that we deserved the benefits the settlement provides all the covered employees.

15. I reviewed the Class Action and PAGA Settlement Agreement before signing, and my attorneys answered all my questions. I believe the settlement terms and allocations are fair, adequate, and reasonable based on the strength of the class claims and Defendant's defenses as I discussed them with my attorneys.

16. I have no conflicts of interest with any class member or the Settlement Administrator, Apex Class Action Administration.

17. I am not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by the Settlement.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed on 7/28/2026, at Los Banos, California.

Signed by:  
  
 TC70CDE32B63483...  
 Alejandro Olivares