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Attorneys for Plaintiff, ADRIANA HUERTA and
MARIA SANCHEZ on behalf of themselves and
all others similarly situated

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

ADRIANA HUERTA and MARIA SANCHEZ on
behalf of themselves and all others similarly
situated

Plaintiffs,
Plaintiff,

vs.

PRO-TECH DESIGN AND MANUFACTURING;
and DOES 1 to 100, inclusive,

Defendants.

Case No.: 19STCV36380

Honorable Lawrence P. Riff
Department 7

**DECLARATION OF PLAINTIFF
ESTEPHANY AVALOS RE ADEQUACY IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

DECLARATION OF ESTEPHANY AVALOS

I, Estaphany Avalos, declare that:

1. I am over eighteen (18) years old and am a resident of Bell Flower, California. I make this declaration based on my personal knowledge. If called to testify, I could and would testify to the facts contained herein.

2. I am a former employee of Pro-Tech Design and Manufacturing ("Pro-Tech"). I worked at Pro-Tech from approximately September 2017 to September 2021. During my employment with Pro-Tech, I worked as an assembler/cleaner.

3. During my employment, I worked one (1) or more shifts over three and a half hours (3.5) in length.

4. During my employment, I worked one (1) or more shifts between six (6) and ten (10) hours in length.

5. During my employment, I worked one (1) or more shifts greater than ten (10) hours in length.

6. During my employment, I was paid on an hourly basis and classified as a non-exempt employee.

7. Throughout my employment, I did not receive premium wages for noncompliant meal or rest breaks.

8. Pro-Tech also failed to compensate me for all hours worked despite sometimes working off-the-clock.

9. Pro-Tech has failed to reimburse me for all reasonable business-related expenses incurred.

10. I know that I am one of the proposed Class Representative for this lawsuit and that I have the following duties as the Class Representative:

- a. Represent the interests of all members of the Class;
- b. Always consider the interests of the Class just as I would consider my own interests and put the interests of the Class before my own interests;

- 1 c. This means that I am a fiduciary of the Class that I understand to mean I cannot
2 “sell out” the Class for my own personal gain;
- 3 d. Always actively participate in the lawsuit by, among other things, searching for
4 documents, keeping in contact with my attorneys and answering their questions as
5 needed – which I believe I have done so far; and
- 6 e. Follow the progress of the lawsuit and provide all relevant facts to my attorneys.
- 7 f. In short, I understand I am pursuing claims on behalf of people that may not want
8 to or may be unable to file their own lawsuits.

9 11. I have spent a substantial amount of time on this litigation performing these duties as a
10 Class Representative. Among other things, I have met with my attorneys concerning the case and my
11 responsibilities as a Class Representative, which included gathering documents concerning my
12 employment with Pro-Tech, reviewing documents with my attorneys and answering their questions,
13 speaking with other former employees of Pro-Tech, answering questions and providing guidance
14 regarding the duties of various employees, and helping develop a strategy as to what documents to
15 obtain from Pro-Tech. I also routinely checked in with my attorneys and their staff, making sure that
16 they had all my most current information and any additional information that I had obtained from
17 speaking with other employees.

18 12. Throughout the case, I have been available to speak and meet with my attorneys
19 whenever they needed me. I responded to them as quickly as possible and gave them as much
20 information as I could, including the names of witnesses. As far as the settlement is concerned, I was
21 available to answer any questions my attorneys had. In short, I have expended my time and resources
22 to prosecute this matter.

23 13. During my employment with Pro-Tech, I was not always compensated for all hours
24 worked. Specifically, I was required to wait in line and undergo off-the-clock COVID-19 temperature
25 checks prior to being permitted to clock in for the start of my shift.

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28 ///

8 16. Finally, when Pro-Tech terminated me, it did not pay me all the wages I was owed,
9 including the time I spent working off-the-clock, meal and rest break premiums, and unreimbursed
10 business expenses. Pro-Tech has yet to pay me all the wages I am owed.

11 17. I believe that my interests in this litigation are aligned with the interest of the Class.
12 There are no conflicts of interest. I believe that I am an adequate Class Representative for this
13 lawsuit.

14 18. I believe that I have done everything my attorneys have asked of me and have tried to
15 represent the Class Members to the best of my ability. I also understand that as part of the Settlement
16 Agreement, I had to provide a general release of all my known and unknown claims. As a result, I
17 have exchanged my personal gain in exchange for the benefit of the Class Members.

18 19. I am not related to anyone associated with Lavi and Ebrahimian, LLP.

19 20. I have not entered into any undisclosed agreements, nor have I received any
20 undisclosed compensation in this case.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing
22 is true and correct to the best of my personal knowledge.

23 Executed on April 11, 2023, in Bell Flower, California.

DocuSigned by:
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Estaphany Avalos