

James R. Hawkins, Esq. SBN 192925
Isandra Fernandez, Esq. SBN 220482
Lace Dacre, Esq. SBN 190305
Kacey E. Cook, Esq. SBN 337905
JAMES HAWKINS APLC
9880 Research Drive, Suite 200
Irvine, CA 92618
TEL: (949) 387-7200
FAX: (949) 387-6676
staff@jameshawkinsaplc.com
isandra@jameshawkinsaplc.com
lance@jameshawkinsaplc.com
kacey@jameshawkinsaplc.com

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

[Additional counsel listed on following page]

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 FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

1 Joseph Lavi (State Bar No. 209776)
jlavi@lelawfirm.com
2 Vincent C. Granberry (State Bar No. 276483)
vgranberry@lelawfirm.com
3 Najee Thornton (State Bar No. 313633)
nthornton@lelawfirm.com
4 Eve Howe (State Bar No.350007)
ehowe@lelawfirm.com
5 **LAVI & EBRAHIMIAN, LLP**
6 8889 W. Olympic Blvd., Suite 200
7 Beverly Hills, California 90211
Tel: (310) 432-000 / Fax: (310) 432-0001
8
9 Attorneys for Plaintiff ESTEPHANY AVALOS

DECLARATION OF ESTEPHANY AVALOS

I, Estephany 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 Representatives 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 “sell
2 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 to
8 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. Since I first began searching for attorneys regarding my employment with Pro-
11 Tech, I estimate that I have spent approximately 29 hours on this lawsuit. Among other things, I have
12 met with my attorneys concerning the case and my responsibilities as a Class Representative, which
13 included gathering documents concerning my employment with Pro-Tech, reviewing documents with
14 my attorneys and answering their questions, speaking with other former employees of Pro-Tech,
15 answering questions and providing guidance regarding the duties of various employees, and helping
16 develop a strategy as to what documents to obtain from Pro-Tech. I also routinely checked in with my
17 attorneys and their staff, making sure that they had all my most current information and any additional
18 information that I had obtained from speaking with other employees.

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

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

27 ///

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.

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

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

22 Executed on February 15, 2024, in Bell Flower, California.

Estephany Avalos