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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF KERN**

JOSE AGUILAR SANDOVAL, individually,
and on behalf of all others similarly situated,

Plaintiff,

v.

MADLAND TOYOTA-LIFT, INC., a California
corporation, and DOES 1 through 10, inclusive,

Defendants.

Case No. BCV-20-100810-TSC

CLASS ACTION

*[Assigned for all purposes to the Honorable
Thomas S. Clark, Dept. 17]*

**DECLARATION OF PLAINTIFF JOSE
AGUILAR SANDOVAL**

FINAL APPROVAL HEARING

Date: February 24, 2022

Time: 8:30 a.m.

Dept: 17

1 **DECLARATION OF PLAINTIFF JOSE AGUILAR SANDOVAL**

2 I, Jose Aguilar Sandoval, declare as follows:

3 1. I have personal knowledge of the facts set forth in this declaration and could and
4 would competently testify to them under oath if called as a witness.

5 2. I am a named Plaintiff in this action and submit this declaration in support of
6 Plaintiff's Motion for Final Approval of Class Action Settlement. Because I believe I have
7 provided invaluable assistance during the course of this case, I am hopeful that the Court will
8 approve our request of a \$10,000 service payment for being a Class Representative.

9 3. I worked for Defendant Madland Toyota-Lift, Inc ("Defendant") in Bakersfield,
10 California as a truck driver from approximately 2008 to approximately April 2019. At all times,
11 Defendant paid me an hourly wage and classified me as eligible for overtime pay.

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

14 5. By originating this lawsuit as a Class Representative, I hoped that I might be able
15 to change Defendant's policies to better protect the working conditions of my co-workers. I also
16 understood it was my duty as a Class Representative to represent the best interests of the class,
17 know about the lawsuit, help my attorneys, and keep updated on the case.

18 6. I have invested a lot of personal time and energy while this lawsuit has been
19 pending. I made it a priority to be actively involved because I wanted to do everything I can to
20 assist my attorneys in prosecuting this case. Based on my conversations, my attorneys and I
21 were able to identify instances when I was not paid correctly.

22 7. Throughout this case, I spent a lot of time on the phone and emailing with my
23 attorneys to get updates about the case and provide them with information. Since I first got
24 involved in this case, I had approximately 30 phone calls with my attorneys. Some of these
25 phone calls lasted about 30 minutes. Because I regularly kept in contact with my attorneys, I
26 estimate that I spent at least 17.5 hours on telephone calls and emailing with my attorneys.

27 8. Throughout the case, I also spent time looking for documents relevant to the case
28 to send to our attorneys. I spent approximately over 10 hours looking for these documents.

1 9. Before finalizing the settlement, I discussed in detail the terms with my attorneys.
2 I estimate that I spent approximately 6 hours discussing the settlement agreement and subsequent
3 developments in the case with my attorneys.

4 10. I believe the settlement is a good settlement and I would recommend that the
5 Court approve it because I believe that this settlement is fair, adequate, and reasonable. I am
6 glad that I had the opportunity to represent the class in this lawsuit and that I was able to recover
7 money through a settlement for the class.

8 11. I have observed my attorneys' work throughout this case. They have been
9 thorough, diligent, prompt, courteous, and professional, and I believe they are fully entitled to the
10 award of fees that they have requested for their hard work.

11 12. I did not make the decision to file a class action lightly. I was concerned by the
12 attention a publicly filed lawsuit, and especially a class action, would attract. My name would be
13 associated with a lawsuit that I filed against my former employer. I was aware that it is possible
14 to perform background checks of publicly filed documents on the Internet, sometimes with
15 nothing more than a simple Google search. I am mindful that prospective employers might find
16 out that I sued Defendant, and this could hurt my employability. Nevertheless, I felt that
17 important rights were at stake that hurt everyone, and something ought to be done about it.

18 13. Standing up for myself and the rights of others was not an easy decision, and I am
19 relieved that this is coming to an end. I estimate that I spent at least 33.5 hours on this case. I
20 continue to fear that any potential future employer may find out that I participated in this lawsuit
21 and hold it against me. In a competitive job market, this factor may weigh heavily against me.

22 14. I understand that the settlement agreement provides a service payment to me in the
23 amount of \$10,000. I believe this amount is fair compensation for my time and effort on this
24 case, for helping to prosecute this case, and the risks with respect to my future employment.

25 15. I respectfully request that the Court award me a \$10,000 service payment. Based
26 on my involvement in this case and the benefits provided to my former co-workers, I can say I
27 helped stand up for the other workers who were too afraid to say anything to management
28 because they did not want to risk losing their jobs or risk the stigma of suing an employer. I was

1 not afraid to take that risk because I strongly care about helping out my former co-workers.

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

4 Executed on 1/27/2022, at Delano, California.

5 DocuSigned by:
6 Jose Sandoval
D973CC1876314F4...

7 Jose Aguilar Sandoval

PROOF OF SERVICE

Jose Aguilar Sandoval v. Madland Toyota-Lift, Inc., et al.
BCV-20-100810-TSC

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Min Jee Kim, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is minjee@wilshirelawfirm.com.

On **January 31, 2022**, I served the foregoing **DECLARATION OF PLAINTIFF JOSE AGUILAR SANDOVAL**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

Thomas Scott Belden (SBN 184387)
scott@bbr.law
Kaleb Judy (SBN 266909)
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Attorneys for Defendant
MADLAND TOYOTA-LIFT, INC.

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

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1 I declare under the penalty of perjury under the laws of the State of California, that the
2 foregoing is true and correct.

3 Executed on **January 31, 2022**, at Los Angeles, California.

4 Min Jee Kim
5 _____
6 Type or Print Name

7 
8 _____
9 Signature