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Attorney for Plaintiff ANTUAN FERNANDEZ, an individual, and or behalf of all aggrieved employees pursuant to the Labor Code Private Attorneys General Act

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

ALLAN CASTANETO, an individual, and on behalf of all aggrieved employees pursuant to the Labor Code Private Attorneys General Act.

Plaintiff,

v.

CALOP BUSINESS SYSTEMS, INC., and
DOES 1 through 50, Inclusive,

Defendant.

CASE NO. **20STCV03772** (lead case and consolidated with 20STCV21789, 20STCV22191)

Assigned for All Purposes to the Hon. Theresa M. Traber, Dept. 47

UNLIMITED JURISDICTION

DECLARATION OF ANTUAN FERNANDEZ IN SUPPORT OF MOTION FOR AN ORDER APPROVING SETTLEMENT OF CLAIMS BROUGHT PURSUANT TO THE PRIVATE ATTORNEYS GENERAL ACT OF 2004, AWARDING ATTORNEYS' FEES, COSTS, ENHANCEMENT PAYMENTS, AND REIMBURSEMENT OF SETTLEMENT ADMINISTRATION EXPENSES, AND DISMISSING ACTION WITH PREJUDICE; MEMORANDUM OF POINTS AND AUTHORITIES

Reservation ID: 149388572767

Hearing

Date: August 19, 2022

Time: 9:00 a.m.

Dept.: 47

DECLARATION OF ANTUAN FERNANDEZ

I, Antuan Fernandez, hereby declare and state as follows:

1. I am a named Plaintiff in this lawsuit against Calop Aeroground Services, LLC (“Calop” or “Defendant”) and I submit this declaration in support of Plaintiffs’ Unopposed Motion for Order Approving Settlement of Claims Brought Pursuant to Private Attorneys General Act, Awarding Attorneys’ Fees, Costs, Enhancement Payments, and Reimbursement of Settlement Administration Expenses and Dismissing Action with Prejudice. I am a competent adult and was employed by Defendant as a Security Guard at Los Angeles International Airport during the relevant time period. I have personal knowledge of the facts set forth herein, and if called as a witness to testify to them, I could and would do so competently.

2. I contacted my current attorney to question the employment practices of Calop prior to commencing this lawsuit. I accepted the opportunity to act as a lead representative on behalf of other employees of Calop in this action, whom I believed were being subjected to labor law violations. Although presented with the opportunity, I did not want to pursue any case on an individual basis and instead did so as a representative action so that I could help other employees recover for what I believed were improper practices.

3. Specifically, I questioned Calop’s policies of failing to pay wages for all hours worked by employees including failing to pay premium wages to employees who were denied rest breaks; failing to pay overtime compensation; failing to reimburse employees for necessary business expenditures; and failing to issue its employees accurately itemized wage statements. Through many discussions with my lawyers, and through my own research on the Internet, I learned these may be illegal practices and Calop employees might have recourse for them.

4. By bringing this lawsuit, and throughout its course, I have put the interests of other employees ahead of my own. I understood that I could possibly earn a small payment if this case resolved itself favorably and I gave a general release for individual claims which I had not pursued, but I also knew that I could also be responsible for paying Calop’s attorneys’ fees and costs if it did not. My goal in bringing this lawsuit was to obtain a recovery on behalf of all employees who were

1 subjected to the same practices by Calop, and even more importantly, to put an end to what I
2 believed were illegal practices on the part of Calop. I believe I have achieved both through this
3 lawsuit and settlement.

4 5. I am very happy about the results of this litigation. I am satisfied that Calop is
5 compensating other aggrieved employees for penalties that I believe we are due.

6 6. At the beginning of this case, I spent time with my attorney explaining what I
7 understood to be the policies and procedures of Calop and how they were applied to employees.
8 Most recently, I also attended a full day deposition. While I did not attend the mediation in person,
9 I was kept informed of the status through phone calls and text messages in an effort to assist my
10 lawyers with information that helped bring about the settlement. I kept actively involved with the
11 status of this case throughout the litigation process, tracking the status of the case and participating
12 as much as possible.

13 7. While I have not maintained detailed time records of my activities in connection
14 with this litigation, I believe that I have spent a total of approximately 40 hours assisting my
15 attorneys with the preparation of this case, primarily contacting other Calop employees following
16 my separation from the company and doing work and investigation of the facts independent from
17 my attorneys both before and during this case. I also met with my attorneys to prepare for my
18 scheduled deposition and eventually sat for a deposition in which a seasoned attorney questioned
19 me for an entire day.

20 8. Before this litigation commenced, and throughout its course, I spent approximately
21 10 hours gathering, organizing, and reviewing documents and information for this lawsuit. I sifted
22 through many of my own documents and reviewed information produced by Calop as part of this
23 litigation.

24 9. Taking the initiative with this case was very risky for me, both professionally and
25 financially. I put principal first and took a tremendous risk by initiating this legal matter against
26 my current employer at the time. That risk became more substantial once I discovered that Calop
27 filed a cross-complaint against me alleging that I owe my former employee tens of thousands of
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1 dollars for alleged mistaken overpayment – something I deny to this day. Irrespective, I am quite
2 confident that pursuing this lawsuit will result in future reputational harm to me. There is a stigma
3 associated with suing one's former employer. I suspect I may be adversely affected when it comes
4 to obtaining future employment, as employers who discover that I sued Calop in a representative
5 action will likely avoid hiring me.

6 10. My interests in bringing this lawsuit are the same as those of all other employees
7 similarly situated to me. I want Calop to change its labor practices going forward and to fully
8 compensate current and former employees.

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

11 Executed on this 29 day of June 2022 at Los Angeles, California.

12 DocuSigned by:

13 Antuan Fernandez

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15 Antuan Fernandez
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