

Justin Lo, Esq. (SBN 280102)
justin@caworklawyer.com
May T. To, Esq. (SBN 305268)
may@caworklawyer.com
WORK LAWYERS, PC
22939 Hawthorne Blvd., Suite 202
Torrance, CA 90505
Tel: (424) 355-8335
Facsimile: (424) 355-8335

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

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES — CENTRAL DISTRICT

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,
Defendants.

Case No.: **20STCV03772** (lead case and
consolidated with 20STCV21789, 20STCV22191)

*Assigned for all purposes to the Hon. Theresa M.
Traber; Dept. 47*

**DECLARATION OF ALLAN CASTANETO
IN SUPPORT OF UNOPPOSED MOTION
TO APPROVING SETTLEMENT OF
CLAIMS BROUGHT PURSUANT TO THE
PRIVATE ATTORNEYS GENERAL ACT
OF 2004, AWARDING ATTORNEYS' FEES,
COSTS, GENERAL RELEASE PAYMENTS,
AND REIMBURSEMENT OF
SETTLEMENT ADMINISTRATION
EXPENSES, AND DISMISSING ACTION
WITH PREJUDICE**

Date: August 19, 2022

Time: 9:00 AM

Dept.: 47

Complaint: January 30, 2020

Trial: April 4, 2023

DECLARATION OF ALLAN CASTANETO

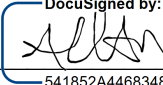
I, ALLAN CASTANETO declare:

1. I am an individual residing in the County of Los Angeles, State of California. I am over the age of eighteen (18) and am a Plaintiff in the action titled *Castaneto v. Calop Business Systems, Inc., filed* in the Superior Court of Los Angeles, Case No. 20STCV03772. I hereby submit this declaration in support of Plaintiff's Motion to Approve PAGA Settlement.
2. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto.
3. I was employed by Defendant from approximately December 2018 to approximately July 2020 as a warehouse screener.
4. I believe that certain employment practices of Defendants were unlawful, including Defendants' practice and policy of not failed to compensate Plaintiff and Plaintiff Class for overtime premium hours worked in excess of eight (8) hours per day as well as forty (40) hours per week. Defendants had a practice of requiring myself and my co-workers to work over eight (8) hours in a day and forty (40) hours without legal compensation.
5. While I was employed, I was also forced to forego my rest and meal breaks due to Defendants' inadequate staffing and strict performance schedules. Furthermore, I was never compensated for missing my rest and meal breaks.
6. Despite the risks associated with filing a lawsuit, I believed that I could adequately represent the proposed group of employees and would prevail on my claims. At the time I agreed to become a representative, I understood that Defendants directly opposed the merits of the lawsuit.
7. I believe that I am an adequate representative, because my interests in this action are the same as other employees who worked for Defendants and were not paid for all overtime worked. I also believe that I have suffered the same and/or similar violations as many other employees.

- 1 8. Throughout this litigation, I have diligently served as a representative of aggrieved
2 employees. I made myself available to my attorneys at their request and conducted
3 several telephone conferences with my attorneys and provided them a wealth of
4 information about my employment with Defendant. I assisted my attorneys with
5 the investigation process by providing documents and gathering information. I
6 also helped review documents that Defendant produced in this litigation, assisting
7 my attorneys in understanding various time records and payroll records.
- 8 9. During the settlement negotiations my attorneys had with Defendant, I understood
9 the risk of moving forward with further litigation as well as a potential trial. Based
10 on the substantial information provided, I believe the pending settlement terms are
11 fair, reasonable and adequate, and the consideration to the proposed class in
12 exchange for a release of claims asserted in the lawsuit is merited.
- 13 10. To aid my attorneys in litigating this matter, I attended the conference held by the
14 Honorable Zaven V. Sinanian on June 3, 2022.
- 15 11. I estimate that I have spent no less than 22 hours total throughout this litigation,
16 including my initial consultations, the numerous meetings with both my former
17 and current attorneys, both in person and telephonically, gathering documents,
18 reviewing documents, and attending the mediation session.
- 19 12. I also took significant professional risk by agreeing to be a representative in this
20 case. There is a very real possibility that due to my involvement in this case, other
21 companies could refuse to hire me. I am aware that future employers may be less
22 inclined to hire me because of my involvement in this case. I further knew that I
23 ran the risk of having to file bankruptcy should the lawsuit have been lost due to
24 the potential judgment Defendant would have been entitled to for costs associated
25 with defending this case.
26
27
28

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Dated 6/30/2022, at Los Angeles, California.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DocuSigned by:

541852A44683484...
Allan Castaneto