

Brian J. Mankin, Esq. [CSB No. 216228]
brian@lmlfirm.com
Peter J. Carlson, Esq. [CSB No. 295611]
peter@lmlfirm.com
LAUBY, MANKIN & LAUBY LLP
5198 Arlington Avenue, PMB 513
Riverside, CA 92504
Tel: (951) 320-1444
Fax: (951) 320-1445

Attorneys for Plaintiffs and others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

JULIO MAYA HERNANDEZ, individually,
on a representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

ASTRO COMPANY, INC., a California
Corporation; and DOES 1 through 20,
inclusive;

Defendant.

Case No.: CIVDS2011280
*[Assigned to Hon. Judge David Cohn, Dept.
S26, for all purposes]*

**DECLARATION OF PLAINTIFF JULIO
MAYA HERNANDEZ IN SUPPORT OF
CLASS ACTION SETTLEMENT**

Complaint filed: May 29, 2020

I, Julio Maya Hernandez, state and declare:

1. I am the Plaintiff in the above captioned action and have personal knowledge of
all matters stated herein and could competently testify thereto.

2. I make this declaration in support of the motion for final approval of the class
action settlement reached in this matter. As discussed herein, I believe that the settlement is fair
and reasonable and constitutes a fair resolution of the claims alleged.

3. I was employed by Defendant from about 2014 through March 2020. During my
employment, there were several practices that I believe violated California law. Therefore, once
I left my employment, I researched attorneys and contacted Lauby Mankin & Lauby. Although I

1 did not think I was being paid correctly, I was unsure if I wanted to bring a lawsuit because of
2 the risk of stepping forward as a whistle blower, since this could jeopardize my livelihood in the
3 industry and make it difficult to find future jobs. Nevertheless, because I did not think that
4 myself or the other employees were being paid correctly for the work we performed, I retained
5 my attorneys to move forward with a case.

6 4. When retaining my attorneys, I understood that I had two options: I could pursue
7 my individual case and attempt to maximize my personal recovery, or I could bring a
8 class/representative action and put the interests of the class ahead of my own. The decision of
9 whether to bring my individual claims or to bring a class action put me in a tough spot, because
10 on the one hand, I wanted to hold the company accountable for how they treated me and, on the
11 other hand, I wanted to help other employees that were not paid correctly. And I knew that, if I
12 wanted to bring a class action, I would need to put the interests of the class first to better serve
13 the class. In the end, in the interest of helping all employees that were subjected to the wage
14 violations, I decided to help everyone by bringing a class/representative action.

15 5. I respectfully request that the Court approve the agreed-upon service award for
16 the following reasons.

17 6. First, since first initiating this action, I estimate that I have spent over 100 hours
18 engaged in activities to benefit the class. I have assisted my attorneys in numerous ways,
19 including helping to explain and discuss the company's practices and their general practices and
20 procedures, locating and analyzing company documents, and communicating with other class
21 members. These efforts occurred through numerous meetings with Class Counsel, telephone
22 conferences, letters, emails, and text communications. I also assisted in preparation for (and at)
23 mediation and helped obtain a positive result for the class.

24 7. Second, in bringing this class action, I agreed to set aside my personal interests
25 and to put the interests of the class ahead or on par with my own. In doing so, and by
26 successfully bringing this case as a class action, I helped to obtain a highly beneficial settlement
27 for the class members.
28

8. Third, I believe that the requested service award is appropriate because I have faced substantial risks and made numerous sacrifices to obtain this class action settlement. For example, filing this lawsuit and being a whistle blower was stressful on a day-to-day basis as I have constantly worried about the risk that this case could impact my ability to find future jobs. And I was also concerned that this could hurt my chances to find work in the industry since many companies and their owners regularly communicate about work, employees, and other issues. Unfortunately, these risks became a reality as I believe that I lost at least one job opportunity as a direct result of bringing this lawsuit.

9. Fourth, in obtaining this class action settlement, I was required to give up a broader release than other class members, as I had to waive any and all claims against the company under the settlement.

10. For these reasons, I respectfully request that the Court grant the requested service award in full.

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

Executed on August 31, 2022, at Riverside, California.

By: 
Julio c. Maya hernandez (Aug 31, 2022 14:13 PDT)
Julio Maya Hernandez