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(Additional counsel on following page)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

VALENTIN LOPEZ and GASPAR
ZARAGOZA, individually, and on behalf all
others similarly situated,

Plaintiffs,

vs.

NEW STAR F INC. d/b/a NORTHERN CAFE, a
California corporation; JIANG & YAN
CORPORATION, a California corporation;
NORTHERN CAFE RESTAURANT INC., a
California corporation; WLY ENTERPRISE
INC., a California corporation; ZYJ CORP., a
California corporation; YZRJ CORP. a California
corporation; THE BOWL RESTAURANT INC.,
a California corporation; NORTHERN CAFE
DUMPLING HOUSE & BAR LLC, a California
limited liability company; and DOES 1 through
50, inclusive,

Defendants.

Case No.: 20STCV04625
Consolidated with Case No. 20STCV28150

[Hon. David S. Cunningham, Dept. 11]

CLASS ACTION

**DECLARATION OF PLAINTIFF GASPAR
ZARAGOZA IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
REPRESENTATIVE ACTION
SETTLEMENT**

Date: July 17, 2024
Time: 10:00 a.m.
Courtroom: Dept. 11
Judge: Hon. David S. Cunningham

Action Filed: February 5, 2020
Trial Date: Not Set

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11 Attorneys for Plaintiff Gaspar Zaragoza

DECLARATION OF GASPAR ZARAGOZA

I, Gaspar Zaragoza, declare as follows:

1. I have personal knowledge of the facts in this declaration and if called to testify, I could and would do so under oath. I make this declaration in support of my Motion for Preliminary Approval of Class Action and PAGA Settlement.

2. I am a former employee of Northern Cafe. I was employed as a food preparer from approximately October 2016 to August 2019.

3. Through my attorneys, I took on the responsibilities of the class representative in the lawsuit against NEW STAR F INC. d/b/a NORTHERN CAFE, JIANG & YAN CORPORATION, NORTHERN CAFÉ RESTAURANT INC., WLY ENTERPRISE INC., ZYJ CORP., YZRJ CORP. THE BOWL RESTAURANT INC., and NORTHERN CAFÉ DUMPLING HOUSE & BAR LLC ("Northern Cafe"). I decided to join the lawsuit as the class representative because I believed that Defendant did not pay me and other employees all our wages, did not provide us with proper meal and rest breaks, did not provide us with accurate wage statements, and did not pay us all our wages when our employment ended.

4. I was very familiar with Northern Cafe's employment policies and practices based on my work experience. I believe that my knowledge and experience helped my attorneys reach a settlement in this case.

Work Performed in the Case

5. I spent about 30 hours performing my duties as a plaintiff in this class action case, and I remain committed to performing the duties of a class representative.

6. Throughout the case, I participated in many conversations with my attorneys to stay informed about what class action cases are, how class actions affect class members, the steps and risks involved in class actions, the strengths and weaknesses of the claims, what would be required of me as a class representative, and the status of the case.

7. I spent time going over documents with my attorneys, explained Northern Cafe's policies and practices, and answered questions about my work experience.

8. I helped my attorneys to prepare for mediation and made myself available on the

1 day of mediation to answer any questions.

2 9. I reviewed the terms of the settlement with my attorneys to understand the terms
3 and the process for settling class action cases.

4 10. Even while the settlement agreement was being negotiated, I communicated with
5 my attorneys for updates on the case.

6 Risks and Responsibilities of Becoming the Plaintiff

7 11. When I decided to become involved in this lawsuit as a potential class
8 representative, I understood that I was seeking compensation for not only myself, but also for all
9 other class members who worked for Northern Cafe. By doing so, I understood that I would be
10 delaying my own recovery for the benefit of other class members. If I filed a claim with the Labor
11 Commissioner only for my own claims, I could have obtained a decision on my claims or a monetary
12 award much more quickly.

13 12. By pursuing the case as a class action, I waited over three years to be able to request
14 that I be appointed the class representative and will have to wait longer to receive any monetary
15 award in this case due to the additional steps for settlement approval in a class action lawsuit.

16 13. I was aware that by filing this lawsuit, other employees would learn that I filed a
17 lawsuit against my former employers. The notice of the settlement will be sent to hundreds of class
18 members. Exposing myself to this kind of publicity could make it harder to find jobs in the future
19 because companies might not want to hire someone that sued their employer.

20 14. As the plaintiff, I was also aware that there were risks involved and that the case
21 could continue for several years, requiring my attention, services, and time throughout the entire
22 case. Even if we won at trial, I learned that there could be more delays by appeals. I was aware I
23 could have been responsible for some or all of Northern Cafe's legal costs if the case was not
24 successfully concluded.

25 15. Even with the risks, I was willing to act on behalf of other employees, but I had
26 concerns about how long it could take for the case to be resolved, about losing the case, having a
27 judgment filed against me for costs, or losing job opportunities in the future.

Community of Interest: Typicality and Adequacy

16. I was an hourly non-exempt employee of Northern Cafe and was subject to the same pay structure and rules as all the other hourly non-exempt employees of Northern Cafe.

17. I am not aware of anything special about me that would raise unique defenses to my claims, as opposed to the claims of the class. I am also not suing for anything unique to me. Rather, my claims are based upon the same facts that relate to the rest of the Class.

18. I do not believe that I have any conflicts with Class Members included in this proposed Settlement. I do not have any intention to take any action that would place me in a position that is hostile to other Class Members.

Enhancement Award

19. Even with the risks, I performed the necessary duties to help prosecute the case against Northern Cafe. I offered to help my attorneys and the class members throughout the case and tried to represent the class to the best of my ability. I decided to be the class representative to minimize the risk that other class members would not accept these responsibilities, especially those who might have been afraid of being involved in these kinds of lawsuits.

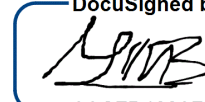
20. I understand that I may be entitled to an additional payment for my role as a class representative and my work related to this case. I understand that this additional payment is not guaranteed and needs the Court's approval. Taking into consideration the time I dedicated to this case and the results achieved on behalf of other class members, I believe that the requested enhancement award is reasonable. My opinion about the fairness of the settlement in this case is not based on this potential payment.

21. I do not have any involvement or interests in Phoenix Class Action Administration Solutions. I am not aware of any interests I have that are adverse to the interests of the class, and I do not have any conflicts that would keep me from representing other class members.

22. I believe that I demonstrated my dedication to helping reach the settlement and helping my attorneys throughout the case for the benefit of the class members. If appointed as the class representative, I will continue to dedicate my time and effort to assisting my attorneys and representing the class members' interests until this case is resolved.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct. Executed on 11/22/2023 in Los Angeles, California.

DocuSigned by:

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Gaspar Zaragoza

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 1055 W. 7th Street, Suite 1880, Los Angeles, CA 90017.

On the date indicated below, I served the document described as: **DECLARATION OF PLAINTIFF GASPAR ZARAGOZA IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL OF CLASS ACTION AND REPRESENTATIVE ACTION SETTLEMENT** on the interested parties in this action by sending ☐ the original [or] ☒ a true copy thereof ☒ to interested parties as follows [or] ☐ as stated on the attached service list:

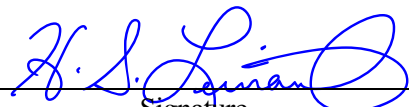
Atkinson, Andelson, Loya, Rudd & Romo
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Attorneys for Defendants

☒ **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed above via third-party cloud service CASEANYWHERE. I did not receive an error message.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this **June 24, 2024** at Los Angeles, California.

H. Scott Leviant
Type or Print Name



Signature