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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA

JANELE ALDANA, as an individual and on
behalf of all others similarly situated, and as a
private attorney general,

Plaintiff,

vs.

DAL-TILE SERVICES, INC., a Delaware
corporation; MOHAWK INDUSTRIES, INC., a
Delaware corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. RG20071668

[Hon. Evelio Grillo, Department 21]

**DECLARATION OF JANELE ALDANA IN
SUPPORT OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: February 21, 2023
Time: 10:00 a.m.
Department: 21

Reservation ID: 602110108426

Complaint Filed: August 25, 2020

1 I, Janele Aldana, declare as follows:

2 1. I am an individual over the age of 18. I am the named plaintiff in the above-reference
3 action. I have personal knowledge of the facts set forth below, except as to those matters stated on
4 information and belief and, as to those matters, I believe them to be true. If called as a witness, I could
5 testify competently as to the matters stated in this declaration.

6 2. In about February of 2018, I began working for Dal-Tile Services, Inc. I was employed as
7 a team lead as a non-exempt employee and paid hourly wages, including overtime. When I earned
8 overtime, the company issued me wage statements that listed overtime rates of one-half (0.5) the base
9 hourly rate of pay. Whenever I earned certain wages, like overtime or missed meal premiums, in
10 addition to my base hourly earnings, the company issued me wage statements that inaccurately stated the
11 total hours worked. For example, on August 6, 2020, my wage statement stated I had worked a total of
12 43.04 hours and earned \$1,234.82. Those totals would indicate that I made \$28.69 per hour, on average,
13 even though I had worked overtime and even though my base hourly rate was \$29.20. Moreover, none
14 of the wage statements the company issued to me showed the start date for the period being paid.

15 3. I have taken all necessary steps to represent the interests of the Class, including by
16 providing information and documents to my counsel, discussing the claims and lawsuit with my counsel,
17 and answering any questions that have come up, including about how I was paid or what my wage
18 statements show or meant. I understand that I am responsible to the Class with respect to trying the case,
19 appearing in court, and working with Class Counsel. I am willing to act as a fiduciary for the Class. I
20 remain willing to devote my time to this lawsuit for the benefit of the Class. I do not believe I have any
21 interests that are adverse to the interests of the Class. I also am unaware of any such issues having been
22 raised or presented by anyone else.

23 4. I believe many employees would not sue their employer out of fear. I took on risks by
24 bringing this lawsuit, and I understand that other people will benefit because of the actions that I have
25 taken. I feel that it is a positive accomplishment, am proud of the result, and believe that the class
26 settlement is fair, adequate, and reasonable.

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1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct. Executed this 20th day of January 2023, at Hayward, California.

3 DocuSigned by:

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6 Janele Aldana
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