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Attorneys for Plaintiffs and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE, RIVERSIDE HISTORIC COURTHOUSE

JOSE SALDANA, individually, and on behalf
of other members of the general public
similarly situated; THOMAS JOHNS,
individually, and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act;

Plaintiffs,

vs.

INTERNATIONAL E-Z UP INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: RIC1902873

Honorable Craig G. Riemer
Department 1

CLASS ACTION

**DECLARATION OF JOSE SALDANA IN
SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, ATTORNEYS'
FEES, COSTS, AND ENHANCEMENT
AWARDS**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees, Costs, and Enhancement
Awards; Declaration of Class Counsel
(Edwin Aiwazian); Declaration of Class
Representative (Thomas Johns); Declaration
of Settlement Administrator (Norman
Alcantara); Declaration of Proposed *Cy Pres*
Recipient (Jose Padilla); and [Proposed]
Final Approval Order and Judgment filed
concurrently herewith.]

Date: November 16, 2021
Time: 8:30 a.m.
Department: 1

Complaint Filed: May 10, 2019
FAC Filed: March 25, 2021
Jury Trial: None Set

DECLARATION OF JOSE SALDANA

I, **Jose Saldana**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the named plaintiffs in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Defendant International E-Z Up, Inc. ("E-Z Up") in an hourly-paid, non-exempt position from approximately May 2012 to February 2018. I decided to seek legal advice about my work experiences with E-Z Up and about pursuing my grievances. I contacted Lawyers for Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure E-Z Up paid me and other employees what was owed to us for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 7 hours. Thereafter, I consulted with the attorneys at Lawyers for Justice, PC for 6 hours to discuss my situation, complex wage-and-hour class actions in general, and what it meant to be a named plaintiff and class representative.

3. I have spent over 15 hours meeting with my attorneys and fulfilling my responsibilities as a class representative in this case, which included gathering documents concerning my employment with E-Z Up, reviewing documents with my attorneys and answering their questions, answering questions and providing guidance regarding the work performed by non-exempt employees, and helping develop a strategy as to what documents and information to obtain from E-Z Up. I frequently checked in with my attorneys and their staff to make sure that they had my most current information and any additional information that I had obtained. Prior to commencing the case, I was informed of and came to understand what my duties and responsibilities would be as a proposed class representative as to the class claims.

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1 4. Throughout the case, I was available to answer any questions my attorneys had,
2 and available to speak and meet with them whenever they needed me. I responded to my
3 attorneys as quickly as possible and gave them as much information and identified as many
4 documents as I could. I spent at least 10 additional hours speaking with my attorneys about the
5 case, identifying potential witnesses, providing my attorneys with documents and information
6 concerning the case, and also describing policies, practices, and procedures of E-Z Up.

7 5. As far as the settlement is concerned, I was available to review documents and
8 answer any questions my attorneys had. I spent about 2 hours reviewing the settlement
9 documents and about 1 hour asking questions and discussing the potential settlement with my
10 attorneys before signing the settlement papers. I also spent about 1 hour reviewing the amended
11 settlement documents and 30 minutes asking questions and discussing them with by attorneys
12 prior to signing the amended settlement agreement.

13 6. I believe that I have done everything that my attorneys have asked of me and have
14 tried, to the best of my ability, to represent the class. I think my efforts helped to get the result
15 obtained in this case, and as a class representative, I respectfully request that the Court award me
16 an enhancement award in the amount of \$7,500.00 for my active participation in this case.
17 Taking into consideration the time that I have dedicated to this case, I believe that this amount is
18 reasonable.

19 7. My attorneys estimated E-Z Up's exposure for my individual claims to be
20 approximately \$26,381.25. These estimates were based on my average hourly rate of \$12.50
21 from May 2012 to February 2018, and included \$2,718.75 for unpaid overtime wages (145
22 weeks x 1 hours x 18.75), \$1,812.50 for unpaid minimum wages (145 weeks x 1 hour x 12.50),
23 \$9,062.50 for meal period claims (145 weeks x 5 premium payments x \$12.50), \$9,062.50 for
24 rest periods claims (145 weeks x 5 premium payments x \$12.50), \$3,000 for waiting time
25 penalties (30 days x 8 hours x \$12.50), and \$725 for business-related expenses (145 weeks x \$5).

26 8. I am not, and have never been, a named class representative in any other case,
27 pending or closed.

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

Electronically Signed: 2021-10-22 14:12:16 UTC - 172.58.79.4



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Jose Saldana