

Edwin Aiwarzian (SBN 232943)
Arby Aiwarzian (SBN 269827)
Joanna Ghosh (SBN 272479)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiffs Jose Saldana and Thomas Johns

**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,

Defendant.

Case No.: RIC1902873

Honorable Craig G. Riemer
Department 1

CLASS ACTION

**DECLARATION OF THOMAS JOHNS IN
SUPPORT OF PLAINTIFFS' RENEWED
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

[Notice of Motion and Renewed Motion for Preliminary Approval of Class Action Settlement; Plaintiffs' Compliance Chart in Support of Renewed Motion for Preliminary Approval; Declarations of Proposed Class Representative (Jose Saldana); Declaration of Proposed Class Counsel (Edwin Aiwarzian); Declaration of Defendant's Chief Financial Officer (Katie Meltzer); Declaration of Defendant's Counsel (Brent M. Giddens); Declaration of Proposed Settlement Administrator (Michael Bui); Declaration of Proposed *Cy Pres* Recipient (Jessica Munoz); and [Proposed] Order filed concurrently herewith]

Reservation No. RES247987
Date: August 4, 2021
Time: 8:30 a.m.
Dept: 1

Complaint Filed: May 10, 2019
Trial Date: None Set

DECLARATION OF THOMAS JOHNS

I, **Thomas Johns**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am a proposed named plaintiff 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 have been employed by Defendant International E-Z Up, Inc. ("E-Z Up") in an hourly-paid, non-exempt position since approximately July 2013 to the present. 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 5 hours. Thereafter, I consulted with the attorneys at Lawyers for Justice, PC for 2 hours to discuss my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act ("PAGA") in general, and what it meant to be a named plaintiff and PAGA representative. Prior to joining the case, I was informed of and came to understand what my duties and responsibilities would be as a representative of the State of California as to the PAGA claim in connection with aggrieved employees.

3. I have spent over 10 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 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.

///

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 5 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 3 hours reviewing the settlement
9 documents and about 2 hours 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 and PAGA representative, I respectfully request that the
16 Court award me an enhancement award in the amount of \$5,000.00 for my active participation in
17 this case. Taking into consideration the time that I have dedicated to this case, I believe that this
18 amount is reasonable.

19 7. I am not related to anyone associated with Lawyers *for* Justice, PC. Also, I do not
20 have any relationship with the proposed *cy pres* recipient Riverside CASA.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

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

Electronically Signed _____ 2021-06-08 19:44:22 UTC - 174.195.141.17

AssureSign® 1e4884ff-c29b-4557-a214-ad41013093b3

Thomas Johns