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Attorneys for Plaintiff and the Proposed Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

CARLOS HUMBERTO CARRILLO DIAZ, an
individual, on behalf of himself and others
similarly situated

PLAINTIFF,

v.

RECON360, LLC; and DOES 1 thru 50,
inclusive,

DEFENDANTS.

CASE NO. 20CV370603

[Case Assigned for All Purposes to Hon. Sunil
R. Kulkarni in Dept. 1]

**DECLARATION OF CARLOS
HUMBERTO CARRILLO DIAZ IN
SUPPORT OF FINAL APPROVAL OF
CLASS SETTLEMENT**

Date: June 9, 2022

Time: 1:30 p.m.

Dept.: 1

Complaint Filed: September 22, 2020

FAC Filed: November 30, 2020

Trial Date: None Set

1 **DECLARATION OF CARLOS HUMBERTO CARRILLO DIAZ**

2 I, Carlos Humberto Carrillo Diaz, state and declare as follows:

3 1. I am a competent adult, over the age of eighteen, and the named Plaintiff in the
4 above-captioned matter. The following is based upon my personal knowledge, and if called as a
5 witness, I could and would testify competently thereto.

6 2. I am a former employee of Defendant RECON360, LLC (“Recon360” or
7 “Defendant”). I began performing work for Recon360 from 2018 to on or about April 4, 2020 in
8 Santa Clara County.

9 3. I brought this Action, on behalf of myself and all other Class Members. I
10 understand the obligations I have in representing other employees and I believe that I am able to
11 represent them well.

12 4. I first researched attorneys who are very experienced with these types of actions.
13 Once retained, I compiled relevant documents from my employment to assist my attorneys in
14 litigating this case. I worked with my attorneys to develop the facts and legal claims in this Action.
15 The class action lawsuit was filed in Santa Clara County Superior Court in 2020.

16 5. Throughout the litigation, I have provided my attorneys with helpful information
17 for this Action and for the Settlement as needed. Additional work in connection with this matter
18 includes staying in regular contact with my attorneys to discuss the status of the case, responding
19 promptly to my attorneys’ various communications regarding this matter including
20 communications regarding mediation, providing documents and information about the claims and
21 defenses, and reviewing and analyzing the Settlement Agreement and settlement papers to ensure
22 the Settlement was fair and reasonable and in the best interests of the Class Members.

23 6. I estimate the total time spent in connection with this matter is approximately 25-
24 35 hours.

25 7. I have worked to actively represent the other Class Members and their interests,
26 and I will continue to do so.

27 8. I believe that I have always kept the interests of all Class Members at heart in this
28 litigation, and I will continue to do so.

1 9. I am prepared to continue undertaking the substantial burden of assisting with this
2 litigation on behalf of the Settlement Class, and I am committed to achieving the best possible
3 results for the Class Members.

4 10. I believe that the class action settlement obtained on behalf of the Class Members
5 is fair and reasonable in light of the issues involved in this case. As mentioned above, I reviewed
6 and discussed the Settlement with my attorneys and asked them questions about it to ensure that I
7 understood its terms and what it would mean for all of the Class Members.

8 11. I believe that I have fairly represented the absent Class Members and request that
9 the Court finally approve this settlement and confirm me as Named Plaintiff.

10 12. I am not aware of any conflicts of interest that prevent me from being confirmed as
11 Named Plaintiff in this Action. I am not related in any way to my attorneys or to any other member
12 of the firm that is representing me. I have no business dealings or other involvement beyond this
13 Action and this representation. I have not been promised any money or inducement to serve as
14 Named Plaintiff in this Action.

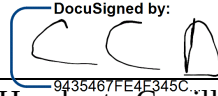
15 13. It is my opinion that the Agreement provides for a fair and adequate enhancement
16 for me as a named Plaintiff, in the amount of \$5,000.00. I believe that this is fair and reasonable
17 in light of all of the work that I have performed in my role as Named Plaintiff. As Named Plaintiff,
18 I initiated this action and have actively participated in all stages of the litigation, as detailed above,
19 and have always maintained the best interests of the Class Members while performing my duties
20 as the Named Plaintiff.

21 14. It is also my opinion that the Named Plaintiff Enhancement Award is fair,
22 reasonable, and adequate because, in addition to the many hours spent participating in the
23 prosecution of this case, I accepted the potential risk of being liable for Defendant's attorneys'
24 fees and costs if we were unsuccessful in this Action. Likewise, I risk the potential stigma of being
25 a named Plaintiff in a class action labor dispute, which may affect my future employability.
26 Despite these potential risks, I felt it was important to proceed with this litigation on behalf of
27 myself and others in the capacity of named Plaintiff.

28 I declare under penalty of perjury under the laws of the State of California that the

foregoing is true and correct.

Executed this 13 day of May, 2022 at Baypoint,
(City)
California.

DocuSigned by:

9435467FE4F345C

Carlos Humberto Carrillo Diaz

(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On May 17, 2022, I served all interested parties in this action the following documents described as: **DECLARATION OF CARLOS HUMBERTO CARRILLO DIAZ IN SUPPORT OF FINAL APPROVAL OF CLASS SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

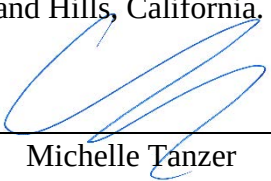
Sarju A. Naran Maysa Saeed Jackie Rivera sarju.naran@hogefenton.com maysa.saeed@hogefenton.com jackie.rivera@hogefenton.com Hoge, Fenton, Jones & Appel, Inc. 55 South Market Street, Suite 900 San Jose, CA 95113-2324	Emil Davtyan emil@davtyanlaw.com Davtyan Law Firm, Inc. 880 E. Broadway Glendale, CA 91205
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[XX] (BY ELECTRONIC SERVICE): I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[XX] (STATE): I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 17, 2022, at Woodland Hills, California.



Michelle Tanzer