

COHELAN KHOURY & SINGER

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Attorneys for Plaintiff PRINCE BANZOUZI MALGHA
on behalf of himself and other aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN MATEO

PRINCE BANZOUZI MALGHA,
on behalf of himself and other aggrieved
employees,

Plaintiff,

vs.

WILINE NETWORKS INC., a
Delaware Corporation; and DOES 1
through 100, inclusive,

Defendants.

CASE NO. 20-CIV-04862

ASSIGNED FOR ALL PURPOSES TO:

The Honorable V. Raymond Swope
Department 23

REPRESENTATIVE ACTION

**DECLARATION OF PRINCE BANZOUZI
MALGHA IN SUPPORT OF MOTION FOR
APPROVAL OF PRIVATE ATTORNEYS
GENERAL ACT ("PAGA") SETTLEMENT**

Date: July 3, 2023

Time: 3:00 p.m.

Dept: 23

Complaint filed: November 6, 2020

Trial date: Not set

1 I, Prince D. Banzouzi Malgha, declare as follows:

2 1. I am the named Plaintiff in the above-referenced action filed on behalf of the
3 State of California and Aggrieved Employees against Defendant Wiline Networks, Inc.
4 (“Defendant”), seeking civil penalties for violation of certain labor code violations. I have
5 personal knowledge of all matters stated herein and could competently testify as to these matters
6 if called as a witness, except as to the matters stated upon information and belief, and as to those
7 matters, I believe them to be true.

8 2. I have reviewed and signed the proposed settlement agreement entitled “Private
9 Attorneys General Act Settlement and Release” and the subsequent “Addendum to Private
10 Attorneys General Act Settlement and Release.” Based on my involvement and the issues and
11 risks involved in this case, I believe the proposed settlement obtained on behalf of the
12 Aggrieved Employees is a good result.

13 3. I am not aware of any interests I have adverse to the interests of the other PAGA
14 Members, and I do not have any conflicts that would keep me from adequately representing the
15 PAGA Members.

16 4. I am not related to anyone associated with Cohelan Khoury & Singer. My
17 attorneys explained to me the contingency fee rate.

18 5. I worked for Wiline as a Field Service Technician from approximately December
19 30, 2019 to March 4, 2020, installing internet network infrastructure. After my employment
20 ended, I searched for attorneys to talk to about my work experiences and labor violations I
21 suffered during my employment with Wiline. I retained the lawyers with the Law Offices of
22 Cohelan Khoury & Singer to pursue this case as a PAGA Representative action for Wiline’s
23 failure to: pay all my wages, provide meal and rest periods, reimburse my business-related
24 expenses, and pay sick pay. I am also pursuing this case for Wiline’s requirement that I sign a
25 severance agreement in order to receive my final pay.

26 6. In bringing this case for myself, the state, and the other employees, I understood
27 a lot of work would be required and I was willing to, and did, do the work to keep the case
28 moving forward. For instance, my attorneys asked me to provide detailed factual information to

1 support the claims in this case and to remain available as necessary to move the case forward.

2 7. Prior to filing this lawsuit on behalf of myself and other employees, I was
3 informed of certain risks, but I decided to move forward. Those risks included having to pay
4 some or all of Wiline's litigation costs if this case were lost, and that as a Named Plaintiff my
5 name could be found when doing a Google search which could potentially affect future job
6 opportunities with employers who may respond negatively to employees who assert their rights
7 under the law. Even with these risks, I agreed to proceed because I believed Wiline's
8 employment policies took advantage of employees.

9 8. As part of my duties and responsibilities, and with the assistance of my
10 attorneys, I provided responses to Form and Special Interrogatories, Requests for Admission,
11 and Requests for Documents.

12 9. I was informed that Defendant had the right to take my deposition, and that the
13 preparation and deposition itself could take multiple days. I spent time preparing for my
14 deposition and gave testimony on my experiences for nearly three hours.

15 10. Because I stayed in constant contact with my attorneys, I knew that mediation
16 had been scheduled. On the day of mediation, I made sure I was available by phone. I consented
17 to the settlement, signed the memorandum of understanding memorializing the settlement, and
18 later, reviewed and signed the settlement agreement and the addendum.

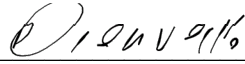
19 11. I have taken my duties and responsibilities as a Named Plaintiff seriously by
20 doing all of those things described above and staying in touch with my attorneys throughout the
21 case, and by doing all that was asked of me. Because of this case, the other Aggrieved
22 Employees will receive money they otherwise may not have.

23 12. My involvement in this case includes: (1) searching for and finding an attorney
24 to handle this case; (2) initiating the case and being an active participant throughout; (3)
25 numerous conferences with my attorneys; (4) searching for and providing information to my
26 attorneys; (5) responding to written discovery; (6) preparing and sitting for my deposition; (7)
27 risking the payment of Defendant's legal costs and having a judgment entered against me if we
28 lost the case; (8) being available the day of mediation; (9) consenting to the Settlement, and

1 then reviewing and signing the Memorandum of Understanding and Settlement Agreement and
2 its Addendum; (10) facing the potential loss of job opportunities for having filed a lawsuit
3 against a former employer; and (11) the substantial time I spent on this case, both before and
4 after it was filed is time lost from pursuing other interests, and being with friends and family.

5 13. Separate and apart from this PAGA case for civil penalties, I believe that I had
6 independent claims for violations of the labor code, including the failure to pay me all wages
7 and provide me rest and meal periods. I have agreed to resolve all of my Non-PAGA claims of
8 any nature and sign a Section 1542 release in exchange for an individual settlement.

9 I declare under the penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct and that this declaration is executed on 1/20/2023 in,
11 Modesto, California.

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14 Prince D. Banzouzi Malgha
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