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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE**

LES ARRIOLA, individually, and on behalf
of other members of the general public
similarly situated and on behalf of other
aggrieved employees pursuant to the
California Private Attorneys General Act;

Plaintiff,

vs.

MULTI MECHANICAL INC., an unknown
business entity; and DOES 1 through 100,
inclusive,

Defendants.

ARMANDO ZUNIGA, individually, and on
behalf of other aggrieved employees
pursuant to the California Private Attorneys
General Act;

Plaintiff,

MULTI MECHANICAL, INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: RIC2003696 (lead)
(Consolidated with Case No. CVRI2104327)

Honorable Craig G. Riemer
Department 1

CLASS ACTION

**DECLARATION OF JOSE PADILLA ON
BEHALF OF PROPOSED CY PRES
RECIPIENT CALIFORNIA RURAL
LEGAL ASSISTANCE, INC.**

Reservation ID: 157380024790
Date: November 14, 2022
Time: 8:30 a.m.
Department: 1

Arriola Action Filed: September 16, 2020
Zuniga Action Filed: September 22, 2021
Trial Date: None Set

DECLARATION OF JOSE PADILLA

I, Jose Padilla, declare:

1. I am the Executive Director for California Rural Legal Assistance, Inc, a non-profit charitable organization funded by the Legal Services Corporation, from members of the California Bar, California law firms, cy pres awards, private foundations and the California State Bar Association. I have personal knowledge of the facts stated herein and could testify about them if called upon to do so.

2. I submit this declaration to support the designation of California Rural Legal Assistance Inc. as a cy pres recipient in *Les Arriola v Multi-Mechanical Inc*, Riverside County Superior Court, Case No. RIC 2003696. California Rural Legal Assistance Inc. (hereinafter CRLA) is an ideal candidate to receive unclaimed or other class action or collective action funds. CRLA is a nonprofit organization providing civil legal services to California's rural indigent population. CRLA's mission is to fight for justice and individual rights alongside the most exploited communities of our society. CRLA is a nonprofit organization that supports projects and work that will benefit class members in this matter or similarly situated low-wage workers who suffer violations of the labor code and applicable wage order. CRLA promotes the enforcement of the law consistent with the objectives and purposes of the underlying cause of action protecting workers against performing labor off the clock.

3. Established in 1966, CRLA meets its mission by serving low-income individuals residing in over 26 rural California counties. In 2020, despite the extreme conditions imposed by the Covid-19 pandemic that limited our access to clients, our 16 field office locations and six programs, covering from El Centro in the south to Santa Rosa in the north, reached close to 30,000 individuals through a combination of advocate determination and advocacy strategies that (1) increased access to high-quality, no-cost legal services; (2) ensured the equitable and fair distribution of resources in rural communities; and (3) protected the rights of low-income individuals to seek justice under the law. The organization has gained a national reputation for its aggressive and imaginative advocacy on behalf of farmworkers, the rural poor, including children, racial, cultural and linguistic minorities, and more recently lesbian, gay, bisexual and transgender (LGBT) individuals.

1 4. CRLA focuses its service delivery and community support through five priority
2 areas: Labor/Employment, Education, Health and Human Well-Being (including combatting
3 environmental racism), Housing, and Leadership Development. Our work has brought about
4 significant gains in educational funding for the children of migrant farmworkers in California,
5 improvements in water supply and access in the Central Valley recovery of unpaid worker
6 wages from and penalties against employers who violate state and federal wage and hour laws,
7 reductions in pesticide use and exposure for all Californians, adequate controls over local
8 increases in water rates for poor communities, and the improved enforcement of housing
9 elements in rural areas.

10 5. The Legal Services Corporation's "2017 Justice Gap Report" revealed that 75%
11 of the rural low-income households have at least one civil legal problem a year, while 25% of
12 these low-income families experience six or more civil legal problems in a year. The same
13 Report lists the three most common types of civil legal problems faced by low-income rural
14 residents as health; consumer and finance; and employment issues. CRLA has a long and
15 distinguished history of representing indigent Californians and children in rural areas and small
16 cities throughout the state. In CRLA's statewide service area there is one legal aid attorney for
17 every 15,900-poor people. During 2020, despite the obstacles imposed due to the pandemic,
18 CRLA serviced 1,173 labor and employment law cases that impacted 3,828 individuals and
19 entire workforces.

20 6. CRLA is the only legal aid organization in Riverside County that represents
21 farmworkers in labor and employment matters. From 2011 to 2020 CRLA worked on 370
22 Riverside County labor and employment cases to the benefit of 1,423 individuals as well as their
23 workplaces. In 2020 alone, despite the pandemic, CRLA serviced 15 Riverside labor and
24 employment cases impacting 49 individuals as well as our client's employers. CRLA not only
25 represents Riverside County's farmworkers in employment and labor matters, we also are the
26 only legal aid organization in Riverside County that advises farmworkers of their employment
27 rights and how to enforce those rights under state and federal laws. In Riverside County CRLA
28 is the legal aid organization that provides services that private firms cannot because much of this
work is not fee generating.

 7. CRLA represents low-income workers in their claims involving wage and hour

1 violations, egregious sexual assault and harassment, retaliatory firings after complaining about
2 violations or invoking their rights, extremely unsafe working conditions, and fraudulent
3 recruitment and payroll activities. Employers of seasonal workers frequently pay subminimum
4 wages, do not pay overtime wages, and refuse to provide itemized paystubs, pay their workers
5 late, and make excessive and illegal deductions for transportation, toilets, and other necessary
6 items. CRLA represents workers illegally fired for complaining about being sprayed with
7 pesticides or using unsafe equipment, or for taking pregnancy leave. CRLA clients often face
8 potentially lethal practices such as the use of unsafe vehicles in the fields or as transport
9 vehicles, deadly exposures to pesticides with no follow-up medical care, and processing speeds
10 that increase injury.

11 8. CRLA also regularly conducts workers' rights trainings focusing on minimum
12 wages, overtime, meal and rest periods and worker health and safety rights. Our staff can
13 conduct these trainings in English and Spanish as well as indigenous languages so that a broad
14 range of workers are reached. CRLA offices all provide representation at administrative hearings
15 before the California Labor Commissioner, where fees are not available, and workers are
16 provided with a faster, more efficient method of recovering wages due them. The private bar
17 rarely provides representation to workers in these hearings because recovery amounts are low
18 and don't yield an adequate basis for a contingency fee. However, employers are often
19 represented and CRLA advocates can even the playing field by ensuring representation at
20 settlement conferences and hearings for low wage, often unsophisticated workers. We also
21 provide training to the private bar and other legal services providers on representing low-wage
22 workers in state and federal court.

23 9. There are particular challenges associated with immigrant workers and non-
24 English speakers. These workers make up the majority of the cases CRLA litigates. Without
25 CRLA's advocacy, California's rural poor, immigrant workers and non-English speaking
26 workers would be ill-equipped or unable to assert their legal rights. Consequently, CRLA is a
27 nonprofit organization whose representation and advocacy on the behalf of low-income workers
28 in labor and employment matters in Riverside County and throughout rural California impacts
class members and similarly situated persons consistent with the objectives and purposes of the
underlying causes of action in this matter. Cy pres funding allows CRLA to perform much of the

work detailed above, and if appointed as the cy pres beneficiary in this lawsuit, CRLA plans to specifically use such funds to assist low-income individuals in rural California on issues relating to labor, employment and overall working conditions.

10. CRLA's finance, management and operations systems allow us to provide the Court with proper accounting, at intervals the Court deems appropriate, to verify all awarded cy pres funds are properly used within the spirit of the interests of class members in this matter.

11. We appreciate your consideration of our organization for this award.

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

Respectfully submitted,

DATED: August 15, 2022

By:

Jose Padilla

JOSE PADILLA, Executive Director
California Rural Legal Assistance