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Attorneys for Plaintiff,
KARINA MOSQUEDA, on behalf of herself and all similarly situated employees

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MONTEREY

KARINA MOSQUEDA, on behalf of
herself and all similarly aggrieved
employees,

Plaintiff,

v.

SANSEI GARDENS, INC.; NEW IMAGE
LANDSCAPE COMPANY; and DOES 1
through 50, inclusive,

Defendants.

Case No. 21CV000325

(Assigned to the Hon. Thomas W. Wills, Dept.
15)

**DECLARATION OF KARINA
MOSQUEDA IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: February 10, 2023

Time: 8:30 A.M.

Dept.: 15

Complaint Filed: February 3, 2021

FAC Filed: September 27, 2022

Trial Date: Not Set

DECLARATION OF KARINA MOSQUEDA

I, Karina Mosqueda, declare as follows:

1. I am an individual over the age of 18 years old and am a resident of California. I am the Plaintiff in this matter. I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I was employed by Defendants Sansei Gardens, Inc. and New Image Landscape Company (together, "Defendants") from about January 2020, until about October 2020. I worked as a non-exempt employee and was paid on an hourly basis.

3. During my employment, I was not paid for all hours worked, including minimum and overtime wages, paid the prevailing rate of wages for all public works, paid the correct rate of sick pay wages, paid premiums for missed meal and rest periods, and paid all wages when due and upon separation of employment. Defendants also failed to provide me with off-duty meal and rest breaks, reimburse work-related expenses, provide accurate wage statements, and keep accurate records.

4. For example, as an employee I was required to participate in mandatory orientation and safety training. I was not paid for the time spent in the orientation and safety training. I was also required to keep my personal cell phone with me at all times and respond to work-related calls and text messages while off-the-clock and on meal and rest breaks. I was not paid for my time working or reimbursed for the costs of cell phone use.

5. When I worked on public works projects, on information and belief, I was not paid the prevailing rate.

6. Moreover, during my employment, I was required to work shifts of five hours or more without a duty-free meal period and shifts of about four hours without a duty-free rest period of at least ten minutes. I did not receive premium pay for the noncompliant breaks.

7. I did not receive all wages at the time owed or upon separation of employment.

8. Furthermore, due to the practices mentioned above, the wage statements I received did not show accurate information such as regular and overtime hours worked, total hours worked, gross and net wages earned, all applicable rates of pay and the number of hours

1 worked at each rate.

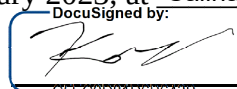
2 9. I understand that this action was brought on behalf of all other non-exempt
3 hourly employees in the State of California, and I am acting as a representative for the Class.
4 As class representative, I understand that it is my responsibility to act in the best interest of the
5 Class and not my own. I agree that I will not put my own interests ahead of that of the Class,
6 and that I will not settle out my claims separately or independently from the Class. Moreover,
7 I am not aware of any conflicts that exist between my interests and the interests of the Class
8 that would impair or affect my ability to serve as representative for the Class.

9 4. I have and continue to be willing to assist in the investigation of this matter,
10 including providing any necessary information and documents, as well as make myself
11 available for trial or any further proceeding in this matter as required to represent the interests
12 of the Class. I also understand my duties and responsibilities to the proposed class and will
13 carry out those duties as necessary.

14 5. I have discussed the terms of the settlement with my attorneys, and based on the
15 information provided, I believe the settlement to be fair, adequate, and reasonable for myself
16 and for the entire Class.

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

19 Executed on this 1/17/2023 day of January 2023, at Salinas, California.

20 
21 DocuSigned by:
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Karina Mosqueda