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*Attorneys for Plaintiff*  
ADRIAN GOMEZ

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

ADRIAN GOMEZ, individually and on behalf  
of others similarly situated, and as an aggrieved  
employee and Private Attorney General,

Plaintiff,

vs.

NEXT LEVEL CONSTRUCTION SERVICES,  
INC. a California corporation; and DOES 1  
through 50, inclusive,

Defendants.

Case No.: CVRI2000753

*Assigned for all purposes to: Hon. Harold W.  
Hopp, Dept. 1*

**DECLARATION OF ADRIAN GOMEZ  
IN SUPPORT OF PLAINTIFF'S  
MOTION FOR FINAL APPROVAL OF  
CLASS ACTION AND PAGA  
SETTLEMENT**

Hearing Date: May 22, 2025

Hearing Time: 8:30 a.m.

Department: 1

Complaint filed: December 28, 2020

Trial Date: None Set

**DECLARATION OF ADRIAN GOMEZ**

I, Adrian Gomez, declare as follows:

1. I am over 18 years of age and a resident of California. I am the named Class and PAGA Representative in the Action entitled *Gomez v. Next Level Construction Services, Inc., et al.*, Riverside County Superior Court Case No. CVRI2000753. I have personal knowledge of the facts stated herein and if called as a witness I could and would competently testify thereto.

2. I make this declaration in support of the Motion for Order Approving Class Action and PAGA Settlement. (“Settlement” or “Settlement Agreement”).

3. I was employed by Defendant NEXT LEVEL CONSTRUCTION SERVICES, INC. (“Defendant”) from approximately February 2017, to approximately March 2020. During my employment with Defendant, I worked as a Laborer. I was classified as a non-exempt employee and have been paid at an hourly rate for the work I performed.

4. In or about November 2020, I decided to seek legal advice about my experiences working for Defendant and about pursuing my grievances against them. I contacted Protection Law Group, LLP, and spoke with their attorneys. After speaking with the attorneys, I investigated complex wage-and-hour actions and representative Private Attorneys General Act (“PAGA”) actions in general, for approximately two (2) hours. Thereafter, I consulted with the attorneys at Protection Law Group, LLP for approximately two (2) hours, discussing my situation, PAGA actions in general, and what it meant to join the litigation as a named plaintiff, and eventually, a PAGA Representative. I wanted to take steps to make sure that Defendant was held accountable for not compensating its hourly employees for all time worked and failing to comply with California’s wage and hour laws.

5. After speaking with my attorneys and investigating complex wage-and-hour actions and the representative Private Attorneys General Act (“PAGA”) in general, I agreed to serve as a Class Representative and as a PAGA Representative in this Action. I was aware that becoming a Class and PAGA Representative could involve additional work including searching for documents, my deposition being taken, and that I might have time to take off to participate in the Action. I still agreed to serve as Class and PAGA Representative in order to help others

1 recover these wages and penalties.

2 **Services Performed by Mr. Gomez and Time Incurred**

3 6. On November 30, 2020, my attorneys submitted written notice to the Labor and  
4 Workforce Development Agency (LWDA”) and Defendant on my behalf for my intention to  
5 assert claims under PAGA.

6 7. As part of becoming a Class and PAGA Representative, I understood that I have  
7 a fiduciary duty to the other Class Members, Aggrieved Employees, and the State of California.  
8 My duties were explained to me by my attorneys. I understood that in representing the interest of  
9 the other Class Members, Aggrieved Employees, and the State of California, I must consider their  
10 interests above my own interest in this case. I was also aware that serving in these roles required  
11 me to monitor the progress of the lawsuit, and actively participate as necessary or required,  
12 including possibly responding to discovery, and giving deposition and trial testimony. I  
13 understood that I might have to miss time from work in order to perform these duties. I still agreed  
14 to serve as a PAGA Representative in order to seek redress for labor code, violation, suffered by  
15 myself, and other Class Members, and Aggrieved Employees.

16 8. Since becoming involved, in this matter, I would estimate that I have spent over  
17 twenty (20) hours meeting with my attorneys regarding the litigation and fulfilling my  
18 responsibilities as a PAGA Representative, which included gathering documents concerning my  
19 employment with Defendant, reviewing documents with my attorneys and answering their  
20 questions and providing guidance regarding the duties of non-exempt employees, helping develop  
21 a strategy as to what documents and information to obtain from Defendant, and assisting before  
22 and during the mediation. I routinely checked with my attorneys and their staff to make sure they  
23 had all of my most current information and additional information that I had obtained.

24 9. I was available to answer any questions my attorneys had, and available to speak  
25 and meet with my attorneys whenever they needed me. I responded to them as quickly as possible  
26 and gave them as much information and identified as many documents as I could. I spent at least  
27 eight (8) additional hours speaking with my attorneys about the litigation, identifying potential  
28 witnesses, providing my attorneys with documents and information concerning the case, and also

describing policies, practices, and procedures of Defendant.

10. As far as the settlement is concerned, I was available to review documents and answer any questions my attorneys had. I spent about two (2) hours reviewing the settlement agreement and about one (1) hour asking questions and discussing the potential settlement with my attorneys before signing the settlement agreement.

**Risks Assumed by Mr. Gomez in Prosecuting the Action**

11. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive for my claim is whatever amount the Court awards as an enhancement payment, as well as my share of the settlement fund as a Class Member.

12. I believe I took on a substantial risk in agreeing to serve as a Class and PAGA Representative, despite being made aware that there was no certainty regarding the outcome of the case, or how long it would take to recover wages owed to myself and the other Class Members.

13. I fully understand the substantial risk I faced in serving as a Class and a PAGA Representative and that doing so could make the case more complex. However, I did so to ensure that not only myself, but others would be able to receive what they were owed.

14. Since joining the lawsuit, I have considered the interests of the Class Members just as I would consider my own interests. I understand and have understood throughout the lawsuit that I must put the interests of the Class Members, State of California, and PAGA Members before my own interests, and that even if I were able to successfully recover any penalties from the PAGA claims, most of these penalties would be paid to the State.

15. Although I was concerned and afraid about being the Representative in these public lawsuits, I decided to put my own interest aside, and bring the lawsuits that would be beneficial not just for myself, but for all employees. I have not yet suffered any adverse consequences as a result of this Action, but neither have I received any benefit for representing the Class or for the help I provided my attorneys.

**No Prior PAGA Representative Actions Filed by Mr. Gomez**

16. I do not have any other PAGA case, pending or closed.

17. I believe that I have done everything that my attorneys have asked of me and have tried to the best of my ability to represent the Class Members, State of California, and PAGA Members. I think that my effort helped to get the results obtained in this Action, and as the Class and PAGA Representative, I respectfully request that the Court award me an enhancement payment of \$7,500.00 for my active participation in the case. Taking into consideration the time I've dedicated to this litigation, the risks I took in order to recover on behalf of not just myself, but others, and the general release I have entered into on my own behalf, I believe that this amount is reasonable.

18. I am not related to anyone associated with Protection Law Group, LLP.

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

Executed on 4/23/2025.

Signed by:  
  
 04117514ED5CB43C...  
 Adrian Gomez