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Attorneys for Plaintiff Santiago Nunez on behalf of himself and all “aggrieved employees” pursuant to Labor Code § 2698 *et seq.*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – NORTHWEST DIVISION**

SANTIAGO NUNEZ, on behalf of himself
and all “aggrieved employees” pursuant to
Labor Code § 2698 *et seq.*,

Plaintiffs,

v.

CANOGA TOPANGA DH, LP, a
California limited partnership, and DOES 1
through 10, inclusive,

Defendants.

CASE NO: 21VECV00160

*Assigned to the Honorable Shirley Watkins,
Department T*

**DECLARATION OF SANTIAGO NUNEZ
IN SUPPORT OF MOTION FOR AN
ORDER APPROVING SETTLEMENT OF
CLAIMS BROUGHT PURSUANT TO THE
PRIVATE ATTORNEYS GENERAL ACT
OF 2004, AWARDED ATTORNEYS’ FEES,
COSTS, ENHANCEMENT PAYMENT,
AND REIMBURSEMENT OF
SETTLEMENT ADMINISTRATION
EXPENSES, AND DISMISSING ACTION
WITH PREJUDICE**

Date: April 21, 2022

Time: 8:30 AM

Dept.: T

RESERVATION ID: 954963730982

Complaint Filed: February 9, 2021

Trial Date: None

1 I, Santiago Nunez, hereby declare and state as follows:

2 1. I am a named Plaintiff in this lawsuit against Canoga Topanga DH, LP
3 ("Defendant"), and I submit this declaration in support of Plaintiff's Unopposed Motion for An
4 Order Approving Settlement of Claims Brought Pursuant to the Private Attorneys General Act of
5 2004, Awarding Attorneys' Fees, Costs, Enhancement Payment, and Reimbursement of
6 Settlement Administration Expenses, and Dismissing Action with Prejudice. I am a competent
7 adult and was employed by Defendant as a non-exempt employee in California between July 2020
8 and October 2020. I have personal knowledge of the facts set forth herein, and if called as a
9 witness to testify to them, I could and would do so competently.

10 2. I contacted my current attorneys when I questioned the employment practices of
11 Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a representative
12 on behalf of other employees of Defendant in this action whom I believed were being subjected to
13 labor law violations. I pursued this case on a representative basis so that I could help other
14 employees recover for what I believed were Defendant's improper practices.

15 3. Specifically, I questioned Defendant's policies of failing to provide all minimum
16 wages and overtime wages and failing to provide meal periods and rest periods. Through many
17 discussions with my lawyers, and through my own research and knowledge of employment law as
18 a case manager at an employment law firm, I learned these may be illegal practices and
19 Defendant's non-exempt employees might have recourse for them.

20 4. By bringing this lawsuit, and throughout its course, I have put the interests of other
21 employees ahead of my own. I understood that I could possibly earn an incentive award if this
22 case resolved itself favorably, but I also knew that I could also be responsible for paying
23 Defendant's attorneys' fees and costs if it did not.

24 5. My goal in bringing this lawsuit was to obtain a recovery on behalf of all employees
25 of Defendant, and even more importantly, to put an end to what I believed were illegal practices
26 on the part of Defendant. I believe I have achieved both through this lawsuit and settlement.
27
28

1 6. I am very happy about the results of this litigation. I am satisfied that Defendant is
2 compensating other aggrieved employees and the State for penalties that I believe we are due.

3 7. At the onset of this case, I spent time through numerous phone calls with several of
4 my attorneys explaining what I understood to be Defendant's policies and practices and how they
5 were applied to other employees. I kept actively involved with the status of this case throughout
6 the litigation process, tracking the status of the case and participating as much as possible.

7 8. While I have not maintained detailed time records of my activities in connection
8 with this litigation, I believe that I have spent a total of approximately 25-30 hours assisting my
9 attorneys with the preparation of this case and doing work and investigation of the facts
10 independent from my attorneys both before and during this case.

11 9. Before this litigation commenced, and throughout its course, I spent approximately
12 3-4 hours gathering, organizing, and reviewing documents and information for this lawsuit. I
13 sifted through many of my own documents and reviewed information produced by Defendant as
14 part of this litigation.

15 10. I communicated with my attorneys several times per month to track my case's status.
16 I have taken an active involvement in this matter throughout its course.

17 11. Taking the initiative with this case was very risky for me, both professionally and
18 financially. I put principal first and took a tremendous risk by filing this lawsuit. I am quite
19 confident that pursuing this lawsuit will result in future reputational harm to me. There is a stigma
20 associated with suing one's former employer. I suspect I may be adversely affected when it comes
21 to obtaining future employment – employers who discover that I sued Defendant in a
22 representative action will likely avoid hiring me.

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

25 Executed on this 15th day of March 2022 at Encino, California.

26 DocuSigned by:

27 

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SANTIAGO NUNEZ