

Edwin Aiwazian (SBN 232943)
Arby Aiwazian (SBN 269827)
Joanna Ghosh (SBN 272479)
Tara Zabehi (SBN 314706)
Selena Matavosian (SBN 348044)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

JOSE CABRERA, 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.

U.S. POLE COMPANY, INC., a California
corporation; and DOES 1 through 100,
inclusive

Defendant.

Case No. 20STCV36092

Honorable Stuart M. Rice
Department 1

CLASS ACTION

**DECLARATION OF JOSE CABRERA
IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

[Notice of Motion and Motion for
Preliminary Approval of Class Action and
PAGA Settlement; Declaration of Proposed
Class Counsel (Tara Zabehi); and [Proposed]
Order filed concurrently herewith]

Hearing Date: November 26, 2024
Hearing Time: 10:30 a.m.
Department: 1

Complaint Filed: September 22, 2020
FAC Filed: January 11, 2021
Jury Trial Date: None Set

DECLARATION OF JOSE CABRERA

I, **Jose Cabrera**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by U.S. Pole Company, Inc. (“Defendant”) as an hourly-paid, Forklift Operator from approximately December 2010 to approximately April 2020. I decided to seek legal advice about my work experiences with Defendant and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Defendant was held accountable for not paying their employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately **5 hours**. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for **4 hours** discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act (“PAGA”) in general, and what it meant to be a named plaintiff, class representative, and a PAGA representative.

3. I have spent over **14 hours** meeting with my attorneys regarding the case and fulfilling my responsibilities as a named plaintiff and class and PAGA representative, which included gathering documents concerning my employment with Defendant, reviewing documents with my attorneys and answering their questions, providing guidance regarding the duties of hourly-paid employees, and helping develop a strategy as to what documents and information to obtain from Defendant. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained.

4. Throughout my involvement in this case, I was available to answer any questions my attorneys had, and available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information and identified as

1 many documents as I could. I spent at least **5 additional hours** speaking with my attorneys about
2 the case, identifying potential witnesses, providing my attorneys with documents and
3 information concerning the case, and also describing policies, practices, and procedures of
4 Defendant.

5 5. As far as the settlement is concerned, I was available to review documents and
6 answer any questions my attorneys had. I spent about **3 hours** reviewing the settlement
7 agreement and about **2 hours** asking questions and discussing the potential settlement with my
8 attorneys before signing the settlement agreement.

9 6. I believe that I have done everything that my attorneys have asked of me and have
10 tried, to the best of my ability, to represent the Class and seek relief for the Aggrieved
11 Employees and the State of California. I think my efforts helped to get the result obtained in this
12 case, and as a class and PAGA representative, I respectfully request that the Court award me a
13 Class Representative Service Payment in the amount of \$7,500.00 for my active participation in
14 this case. Taking into consideration the time that I have dedicated to this case, I believe that this
15 amount is reasonable.

16 7. I am not related to anyone associated with Lawyers *for* Justice, PC.

17 8. I have not entered into any undisclosed agreements, nor have I received any
18 undisclosed compensation in this case. The only compensation I will receive is whatever amount
19 the Court awards as a Class Representative Service Payment as well as my share of the
20 settlement as a Class Member and as an Aggrieved Employee.

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

23 Executed this 7th day of August 2024, at Lancaster, California

24 
25 Electronically Signed by Jose Cabrera on 08/07/24 at 12:32:43 UTC-172.56.183.226
Nintex AssureSign® 73bcb5b0-4c4c-4560-822f-b1c50129218a

26 Jose Cabrera
27
28