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

REVERIANO DIAZ, 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,

v.

101 PHOENIX, INC., a California corporation;
and DOES 1 through 100, inclusive;

Defendants.

Case No.: 20STCV36090

Honorable Carolyn B. Kuhl
Department SSC-12

CLASS ACTION

**DECLARATION OF REVERIANO DIAZ
IN SUPPORT OF PLAINTIFF'S
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT,
ATTORNEYS' FEES, COSTS, AND
ENHANCEMENT PAYMENT**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees, Costs, and Enhancement
Payment; Declaration of Class Counsel
(Edwin Aiwazian); Declaration of Settlement
Administrator (Simpluris, Inc.); and
[Proposed] Final Approval Order and
Judgment filed concurrently herewith]

Date: October 6, 2022
Time: 10:30 a.m.
Department: SSC-12

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

DECLARATION OF REVERIANO DIAZ

I, **Reveriano Diaz**, 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 101 Phoenix, Inc. ("Phoenix") as an hourly-paid, non-exempt Dishwasher from approximately October 2019 to March 2020. I decided to seek legal advice about my work experiences with Phoenix. I contacted Lawyers *for* Justice, PC and spoke with attorneys there, including Arby Aiwarzian. I wanted to do whatever I could to make sure Phoenix was held accountable for not paying its 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 6 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 PAGA representative.

3. I have spent over 15 hours meeting with my attorneys regarding the case and fulfilling my responsibilities as a class and PAGA representative, which included gathering documents concerning my employment with Phoenix, reviewing documents with my attorneys and answering their questions, answering questions and providing guidance regarding the duties of non-exempt hourly employees, and helping develop a strategy as to what documents and information to obtain from Phoenix. 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. 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 many documents as I could. I spent at least 10 additional hours speaking with my attorneys about the case, identifying potential

1 witnesses, providing my attorneys with documents and information concerning the case, and also
2 describing policies, practices, and procedures of Phoenix. During the discovery phase of the
3 litigation, I spent approximately 6 additional hours reviewing Phoenix's discovery requests,
4 locating documents, and providing documents.

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 2 hours reviewing the settlement
7 agreement and about 3 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 employees
11 and the State of California. I think my efforts helped to get the result obtained in this case, and
12 as a class and PAGA representative, I respectfully request that the Court award me a class
13 representative enhancement 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 an enhancement award, as well as my share of the settlement as a class
20 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 13 day of December 2021, at Glendale, California.

24 
25 Reveriano Diaz