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*Attorneys for Plaintiff and Proposed
Class Members*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF STANISLAUS**

LETICIA RODRIGUEZ, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

MODESTO RESTAURANT GROUP, LLC, a
California limited liability corporation; and DOES
1 through 10, inclusive,

Defendants.

Case No. CV-21-000269

CLASS ACTION

*[Assigned for all purposes to the Honorable
Sonny S. Sandhu, Dept. 24]*

**DECLARATION OF LETICIA
RODRIGUEZ IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

*[Filed with Motion for Final Approval of
Class Action Settlement, Declaration of Justin
F. Marquez, Declaration of Taylor Mitzner,
and Proposed Judgment]*

FINAL APPROVAL HEARING

Date: December 6, 2022

Time: 8:30 a.m.

Dept: 24

DECLARATION OF LETICIA RODRIGUEZ

I, Leticia Rodriguez, declare as follows:

1. I have personal knowledge of the facts set forth in this declaration and could and would competently testify to them under oath if called as a witness.

2. I am the named Plaintiff in this action and submit this declaration in support of Plaintiff's Motion for Final Approval of Class Action Settlement. Because I believe I have provided invaluable assistance during the course of this case, I am hopeful that the Court will approve my request of a \$8,000 service payment for my role as the Class Representative.

3. I am a former employee of Defendant Modesto Restaurant Group, LLC ("Defendant"). I worked at Defendant from approximately August 2020 to approximately December 2020 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to Defendant's policies and practices that have been alleged as unlawful in the Class Action Complaint ("Complaint") and Private Attorneys General Action ("PAGA") Notice sent to Defendant and the Labor & Workforce Development Agency ("LWDA").

4. I filed this lawsuit in because I was concerned that I was not paid properly for all the hours that I worked, and I was not provided all of my meal and rest breaks. While working at Defendant, my coworkers and I were asked to work long hours because of the amount of work, sometimes without taking meal and rest breaks. I also observed my co-workers working long hours without taking breaks.

5. By originating this lawsuit as a Class Representative, I hoped that I might be able to change Defendant's policies to better protect the working conditions of my co-workers. I also understood it was my duty as the Class Representative to represent the best interests of the class, know about the lawsuit, help my attorneys, and keep updated on the case.

6. I have actively participated in the litigation of this action. Prior to the commencing of this case, I provided Wilshire Law Firm and my attorneys a detailed account of the facts related to my employment with Defendant, including, but not limited to, my belief that Defendant had a policy and practice of not providing its employees with California compliant meal and rest periods and requiring its employees to work "off-the-clock" prior to clocking in for the workday, during

1 meal periods, and after clocking out for the workday. Additionally, I provided my counsel with
2 documentation in the form of annotated wage statements in support of the claims brought against
3 Defendant. These documents, along with the anecdotes I shared regarding my employment,
4 assisted my attorneys in understanding the policies and practices at Defendant. I also regularly
5 communicated with my attorneys and staff members of Wilshire Law Firm via telephone and text
6 messages.

7 7. Throughout the course of the litigation, I maintained constant communication with
8 my attorneys and discussed pertinent matters relevant to the lawsuit. I asked questions when I
9 wanted to know what was being done to advance the interests of the Class or simply wanted an
10 update regarding the case. I understood that a recovery would not only benefit me but would benefit
11 my fellow coworkers as well. At all times, I made myself available to answer any questions that
12 my attorneys had about my employment.

13 8. This was especially true leading up to and during the mediation that took place on
14 November 30, 2021. In preparation for the mediation, I had extensive conversations with my
15 attorneys regarding the nuanced issues that we were going to advance during the negotiation
16 process with the mediator. During the mediation session, I was available to speak with my
17 attorneys, answer any questions that arose, and provide any additional documentation that was
18 necessary to assist the settlement discussions.

19 9. On February 10, 2022, I reviewed the Joint Stipulation re: Class Settlement
20 ("Settlement Agreement") in full and discussed all the terms with my attorneys. My attorneys
21 answered all the questions I had regarding the Settlement Agreement. I believe the settlement terms
22 and allocations are fair, adequate, and reasonable given the strength of the class claims and
23 Defendant's defenses.

24 10. I believe the settlement is a good settlement and I would recommend that the
25 Court approve it because I believe that this settlement is fair, adequate, and reasonable. I am glad
26 that I had the opportunity to represent the class in this lawsuit and that I was able to recover
27 money through a settlement for the class. I have also observed my attorneys' work throughout
28 this case and I believe they have been thorough, diligent, prompt, courteous, and professional.

1 11. I estimate that I spent approximately 40 hours searching for and collecting
2 documents related to my employment, speaking with my attorneys throughout the litigation,
3 helping my attorneys prepare for mediation, discussing the particulars and reasonableness of the
4 settlement, and reviewing/signing documents related to the settlement.

5 12. I respectfully request that the Court award me a \$8,000 service payment. I am
6 receiving no additional compensation other than the compensation provided for in the settlement.
7 Based on my involvement in this case and the benefits provided to my former co-workers, I can
8 say I helped stand up for the other workers who may have been too afraid to say anything to
9 management because they did not want to risk losing their jobs or risk the stigma of suing an
10 employer. I was not afraid to take that risk because I strongly care about helping out my current
11 and former co-workers. I also continue to fear that any employer may find out that I participated
12 in this lawsuit and hold it against me. In a competitive job market, this factor may weigh heavily
13 against me. Nevertheless, I felt that important rights were at stake that hurt myself and other
14 employees.

15 I declare under penalty of perjury, under the laws of the State of California and the United
16 States of America, that the foregoing is true and correct.

17 Executed on 11/7/2022 at Modesto, California.

18 DocuSigned by:
19 
20 BFC36537AF1644F...

21 Leticia Rodriguez
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Rodriguez v. Modesto Restaurant Group, LLC, et al.
CV-21-000269

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PROOF OF SERVICE