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Attorneys for Plaintiff GONZALO ROJAS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

GONZALO ROJAS, 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.

PREFERRED FOOD SERVICE, INC., an unknown business entity; LOS ANGELES POULTRY CO., INC., a California corporation; DROR DAHAN, an individual; DAVID DAHAN, an individual; LILY DAHAN, an individual; ILANA DAHAN, an individual; BAR DAHAN, an individual; and DOES 1 through 100, inclusive;

Defendants.

Case No. 21STCV08225

DECLARATION OF GONZALO ROJAS IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

Date: May 7, 2025
Time: 9:00 a.m.

Judge: Hon. Elihu M. Berle
Dept.: 6

1 I, GONZALO ROJAS, declare as follows:

2 1. I am over the age of eighteen, a California resident, Plaintiff and Proposed Class
3 Representative in the above-entitled matter. I submit this declaration in support of Plaintiff's Motion
4 for Final Approval of Class Action and PAGA Settlement and in support of Motion for Class Counsel
5 Fees and Expenses Payment and Class Representative Service Payment. I have personal knowledge of
6 all the facts stated herein. I could and would competently testify under oath to these facts in court if
7 requested to do so.

8 2. I retained Class Counsel in February of 2021 and filed the lawsuit in March of 2021.

9 3. I worked for Defendants as a non-exempt employee, paid on an hourly basis, and entitled
10 to legally mandated meal and rest periods, minimum wages, and overtime compensation, in California,
11 from approximately 2015 to approximately July of 2020.

12 4. I filed the case because I believed my rights as an employee were violated by Defendants
13 and also the rights of other employees that worked for Defendants. Among other claims, I believe
14 Defendants failed to pay for all time worked, failed to provide compliant meal and rest periods, failed
15 to furnish accurate itemized wage statements, and failed to pay all wages timely during employment and
16 upon separation.

17 5. Before I initiated the case as a plaintiff and Class Representative, I spoke at length with
18 my attorneys. We discussed my work experience and how company policies were applied to me and
19 other employees. I provided the attorneys with documents they requested. We reviewed the documents
20 together and asked and answered many questions regarding my experience working for Defendants, the
21 litigation process, and about class actions generally.

22 6. During these conversations, I learned about my responsibilities as a plaintiff in the lawsuit
23 and as a proposed Class Representative. I understood that pursuing this action as a class action rather
24 than merely seeking my individual claims substantially increased the risk to me. Those risks included
25 the possibility of being held liable for Defendants' attorneys' fees and costs in a complex class action if
26 I lost the case. I also understood that as a Class Representative, I would be under increased scrutiny by
27 the attorneys and the Court because I needed to prove that I was an adequate class representative.
28 Further, I understood that I would lose some autonomy over my individual claims that I could not make

1 decisions for my sole benefit and that I needed to make every litigation decision with the best interests
2 of the Settlement Class in mind.

3 7. I also understood that pursuing this litigation created a very public record of my grievances
4 with Defendants which produced the risk that a future employer could hold it against me that I sued a
5 former employer.

6 8. I also knew that I was making a sacrifice in that I could have pursued my claims only on
7 an individual basis, likely obtaining a recovery greater than the portion of the class settlement I stand to
8 receive from this settlement. My attorneys explained to me that the net settlement value of my individual
9 claims may be greater than my ultimate recovery from the net class settlement amount.

10 9. Notwithstanding these risks and sacrifices, I decided to go through with the case because
11 I believed violations occurred and most employees would not know what their rights are and even if
12 they did, they would be apprehensive to file a lawsuit against their employer for fear of retaliation.

13 10. During the lawsuit I communicated on a regular basis with my attorneys. I reviewed status
14 updates from my attorneys and court filings on a regular basis, and spoke to my attorneys on the phone,
15 because I wanted to keep up with developments in the case which I understood was one of my duties as
16 a class representative.

17 11. **Review and Approval of Settlement:** A mediation was held on July 22, 2023. Even
18 though I could not attend, I was available by telephone to speak with my attorneys and did speak with
19 them regarding the mediation before it took place. I also spoke with my attorneys after the mediation
20 and later, once a mediator's proposal was sent to the Parties. I was very satisfied with the terms of the
21 settlement that was agreed to by the parties. I reviewed and signed the Memorandum of Understanding
22 on December 14, 2023, and when the settlement papers were ready, I again spoke with my attorneys and
23 reviewed the settlement agreement which I signed on October 24, 2024.

24 12. **Broad General Release:** I understand that the Class Representative Payment is intended,
25 in part, to compensate me for my release of the Released Class Claims. Additionally, unlike the other
26 Class Members, I also granted Defendants a broad general release and waiver of claims pursuant to
27 California Civil Code section 1542 and released Defendants from all claims whether known or unknown,
28 under federal law or state law.

13. **Participation:** Since I retained Class Counsel approximately four years ago, I have been actively involved with this class action lawsuit performing the duties described above. While I did not keep formal time records, I was in regular contact with my attorneys, reviewed important court filings, and spent considerable time on the issues presented during the litigation and in the settlement process. I estimate that I spent approximately 20-25 hours working on this case.

14. Also, my attorneys explained to me that the settlement process involved a two-step review by the Court to determine whether the settlement was fair before ordering that the settlement be funded and paid. I knew this process also involved notifying all class members of the settlement terms and of their rights to make a claim for their settlement share, to opt out of the settlement or to object to the settlement.

15. Ultimately, I believe I did the right thing in pursuing this case on behalf of the class who now stand to receive substantial monetary payments as a result of this case and settlement. I also believe that the requested Class Representative Payment in the amount of \$15,000 from the settlement is fair compensation for the (1) the broad general release I executed, (2) the work I performed, (3) the sacrifices made not pursuing this case individually, and (4) the risks I undertook.

16. In light of all the time and effort I have spent on this case, the sacrifice I have made, the risks I undertook by suing a former employer, the exposure to being responsible for paying Defendants' costs in the event we did not win the case, and in light of the size of the settlement, I believe the request for \$15,000 as a service award is fair and reasonable.

17. Further, I support my attorneys' application for a Class Counsel Fees and Expenses Payment in the amount of \$445,000.00, comprised of \$420,000.00 for attorneys' fees (35% of the Gross Settlement Amount) and up to \$25,000 for reimbursement of actually incurred litigation expenses.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 03/06/2025, at Los Angeles , California.

By: Gonzalo C Rojas (Mar 6, 2025 13:10 PST)

GONZALO ROJAS