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Attorneys for Plaintiffs
MARIA MILAR & MARIA RODRIGUEZ

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

MARIA MILAR and MARIA RODRIGUEZ, as
“aggrieved employees” and on behalf of
“aggrieved employees” under the California
Labor Code Private Attorneys General Act,

Plaintiff,

v.

SOCAL FOOD GROUP, LP d/b/a DEL TACO;
and DOES 1 through 10, inclusive,

Defendants.

Case No: 37-2021-00018665-CU-OE-CTL

REPRESENTATIVE ACTION

**DECLARATION OF PLAINTIFF MARIA
RODRIGUEZ IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF PAGA
SETTLEMENT AND MOTION FOR
AWARD OF ATTORNEYS’ FEES AND
COSTS, PLAINTIFFS’ SERVICE AWARDS
AND SETTLEMENT ADMINISTRATION
COSTS**

Assigned to the Honorable Kenneth Medel

Date: April 14, 2023

Time: 9:30 a.m.

Dept: C-66

Complaint Filed: April 27, 2021

1 I, MARIA RODRIGUEZ, declare as follows:

2 1. I am a named Plaintiff and representative of the aggrieved employees in the case
3 against SoCal Food Group, LP d/b/a Del Taco (“Defendant”). I submit this Declaration in
4 support of Plaintiff’s Motions for Approval of PAGA Settlement and for Award of Attorneys’
5 Fees and Costs. I am a competent adult, I have personal knowledge of the facts set forth in this
6 declaration, and I could and would testify competently under oath if called as a witness.

7 2. I worked for Defendant as an hourly non-exempt Shift Manager in the San Diego
8 from approximately December 2018 through July 2020.

9 3. I believed it was wrong for Defendant to not pay me all my wages and overtime
10 due, to not provide me with adequate meal and rest periods, and to not reimburse my business
11 expenses.

12 4. My case against Defendant was filed on April 27, 2021. Prior to filing the
13 complaint, I first spoke with my attorneys at Capstone Law APC, and then Robert Spencer, Esq.
14 of Keller Grover LLP. I spent over an hour describing to Mr. Spencer the facts of my case. I
15 also had a separate conversation with him for over an hour to discuss the process of a PAGA
16 action as well as my responsibilities to the aggrieved employees. I then determined that Keller
17 Grover LLP and Capstone Law APC were appropriate attorneys to handle my case.

18 5. Mr. Spencer and I also worked together on my PAGA letter that we sent to the
19 LWDA. I spent approximately half an hour speaking with Mr. Spencer on the telephone to create
20 the PAGA letter; then another hour reviewing it at home prior to it being uploaded to the
21 LWDA.

22 6. When the complaint was drafted, I spent two hours reviewing it before it was filed
23 to make sure it was accurate.

24 7. Throughout my involvement in the case, I have maintained regular telephonic
25 communications with Mr. Spencer to discuss the status of the case and to respond to any
26 questions he might have. We speak about once a month.

27 8. Mr. Spencer made me aware that Defendant was open to mediating my case. I kept
28 up to date regarding mediation and answered any questions my attorneys had. The settlement

1 discussions continued after the mediation and I kept up to date regarding the status of the formal
2 settlement.

3 9. I reviewed Settlement Agreement and Release of Claims ("Settlement
4 Agreement") with Mr. Spencer and spent approximately half an hour discussing with him
5 regarding how the settlement funds were to be distributed and whether the settlement and the
6 plan of distribution were fair. I then spent another hour reviewing the Settlement Agreement.

7 10. When I agreed to act as a named plaintiff, I understood that I might be responsible
8 for some of the costs incurred by Defendant if the lawsuit was unsuccessful. In addition to this, I
9 worried about my reputation in the community if people were to find out I had sued somebody.

10 11. I also am concerned about the possible repercussions to my future job
11 opportunities because I have been a plaintiff in a wage and hour lawsuit against an employer.

12 12. I understood from the beginning that I was pursuing this case not only for my own
13 benefit, but also for the benefit of large numbers of past and present employees who either were
14 not aware of their rights or were too afraid of retaliation to complain.

15 13. I believe that the settlement reached in this case is fair and, in light of the risks
16 involved, will justly compensate the employees who were and are affected by the violations that
17 were the subject of the action. I believe that the enhancement I have requested is fair in light of
18 the work I put into the case, the risks I took, the harm that I believe my suing my employer could
19 cause me in terms of future job prospects, and the benefits that have been achieved for the
20 aggrieved employees. I have also provided a general release of my claims.

21 I declare, under penalty of perjury, under the laws of the State of California, that the
22 foregoing is true and correct. Executed on 3/10/2023 at San Diego, California.

23 DocuSigned by:
24 *Maria Rodriguez*
25 MARIA RODRIGUEZ
26 F52C4F4834BC45E
27
28

PROOF OF SERVICE

I, JOEY GONZALEZ, am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to the within action. My business address is 1965 Market Street, San Francisco, California 94103. On **March 17, 2023** in the case of *Maria Milar and Maria Rodriguez v. SOCAL FOOD GROUP, LP d/b/a Del Taco*, San Diego County Superior Court Case Number 37-2021-00018665-CU-OE-CTL, I served the foregoing document(s):

DECLARATION OF PLAINTIFF MARIA RODRIGUEZ IN SUPPORT OF MOTION FOR FINAL APPROVAL OF PAGA SETTLEMENT AND MOTION FOR AWARD OF ATTORNEYS' FEES AND COSTS, PLAINTIFFS' SERVICE AWARDS AND SETTLEMENT ADMINISTRATION COSTS

on the interested party(ies) below, using the following means:

Beth A. Kahn, Esq.
Ryan C. McKim, Esq.
Keith Rossman, Esq.

Attorneys for Defendant
SOCAL FOOD GROUP, L.P. D/B/A DEL TACO

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☒	(BY ELECTRONIC SERVICE) by electronically mailing a true and correct copy in PDF format through our electronic mail system to the email address(es) set forth above, or as stated on the attached service list per agreement between the parties.
☒	(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



JOEY GONZALEZ