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Attorneys for Defendants
LEON C. WILLARD and L.C. WILLARD
ROOFING

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

JOSE D. MEJIA, an individual,
Plaintiff,

v.

LEON C. WILLARD, individually &
doing business as L.C. WILLARD
ROOFING; and DOES 1 through 20,
Inclusive,
Defendants.

Case No. 21STCV20776

**DECLARATION OF LEON C.
WILLARD**

Complaint Filed: June 3, 2021

Reservation ID: 763237618842

DECLARATION OF LEON C. WILLARD

I, Leon C. Willard, declare:

1. I am the defendant in this action. I have personal knowledge of the facts set forth in this declaration and if called as a witness, I could and would competently testify thereto.

2. I own and operate LC Willard Roofing. I started working for my father when he owned the company, right out of high school, moving up the ranks until I became a foreman. I love to teach and would take every new employee under my wings teaching them how to remove and install roofs so they would have the opportunity to move up to a foreman position as well. In 1995, I studied and got my own roofing contractor license and slowly started out on my own. My father was then diagnosed with cancer, so I stepped back to help out and run his company while he went through treatment. He never recovered and decided to close his doors. The employees came to me and asked about their future. That is when I made the decision to buy the business from my dad, making monthly payments, which in turn helped pay for his care. This also made it possible for all the employees to still have a job. I have operated the company since then.

3. Jose Mejia, the plaintiff this case, worked for LC Willard Roofing as a foreman until sometime in April of 2020. He had worked for the company for 23 years. As of the time that he left the company, I had three other employees. All three of them have been working there for at least 10 years. I pay everyone much more than minimum wage and provide them transportation to all the worksites so they don't have to use their own cars. We have worked together for so long that we operated very much on the honor system because I rarely accompanied them in the field on their jobs and allowed the workers to call in their work times and not write down their meal breaks. I never questioned it and just paid it.

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1 4. After I received Jose Mejia's PAGA notice letter in March of 2021, I was very
2 surprised. I then reached out to my remaining employees to discuss the issues raised in that letter.
3 I asked them all to write to me all the ways they could somehow still be owed any overtime pay,
4 meal and rest break pay, and any expense reimbursement. They all took several days to think it
5 over and each one brought back written lists to me. I reviewed them and paid each employee
6 everything they said I could owe plus some extra, without trying to argue with them or negotiate
7 the amounts lower. I ended up paying between \$2000 and \$9,000 in total to each long-term
8 employee, with \$1000 of that representing what I called a "supplemental payment" in case of
9 possible penalties. I even paid \$200 to a brand new hire, just in case. I then told them all that we
10 cannot operate on the honor system any more, and I created special forms for their work time that
11 they have to fill in every day, including for their meal breaks and any overtime. I also created
12 special forms about expense reimbursements that they have to use. I also reminded them about
13 the California Industrial Wage Orders that we follow and required rest breaks. I made all those
14 forms available in English and in Spanish so everyone could review them however they were
15 most comfortable. I have been using those forms and following the requirements in the Industrial
16 Wage Orders ever since, including with any new hires we have hired since then. I also check on
17 them periodically and ask them to confirm that they are taking rest breaks.

18 5. Then, on or about June 7, 2021, I was served with Jose Mejia's lawsuit. I hired an
19 attorney and had to borrow money against my equity line on my house to hire the attorney. My
20 attorney and Jose Mejia's attorney connected and we all agreed to go to a private mediation. I
21 provided whatever time and pay records and written company policies for Jose Mejia's attorneys
22 to review before the mediation that they asked for.

23 6. For the mediation, I provided my tax records for 2020, 2019 and 2018 that show

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1 my average annual profits have been around \$32,742 for quite some time. My company is a tiny family
2 business and makes very little money. I keep it because it was my father's company before it was mine
3 and because I care about the men who have worked there for so many years. I don't know if my son
4 will want it when he grows up, but I would like him to have the choice to keep it.

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

7 Executed on February 23, 2022, at Northridge, California.



Leon C. Willard

PROOF OF SERVICE

(§ 1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am a citizen of the United States of America; I am over the age of eighteen years and not a party to the within entitled action; my business address is: 3435 Wilshire Boulevard, Suite 1710, Los Angeles, California 90010.

On the below-indicated date, I served the following document:

DECLARATION OF LEON C. WILLARD

on the interested parties in said action by placing

___X___ a true and correct copy,

and addressed as set forth on the attached Service List and delivered by one or more of the means set forth below:

☒ **BY ELECTRONIC SERVICE IN LIEU OF SERVICE BY MAIL, EXPRESS MAIL, OVERNIGHT DELIVERY, OR FACSIMILE TRANSMISSION:** In accordance with California Code of Civil Procedure section 1010.6, I caused the document to be sent to the person(s) below at the e-mail address(es) listed below.

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

EXECUTED: February 24, 2022
At Los Angeles, CA

Grigor Gregg Sirmabekhian
Grigor Gregg Sirmabekhian

[SERVICE LIST ON THE FOLLOWING PAGE]

SERVICE LIST

Karina B. Sterman [SBN 193182] James W. Hill [SBN 293971] GREENBERG GLUSKER FIELDS CLAMAN & MACHTINGER LLP 2049 Century Park East, Suite 2600 Los Angeles, California 90067 Email: <i>ksterman@greenbergglusker.com</i> Email: <i>jhill@greenbergglusker.com</i>	<i>Attorneys for Defendants LEON C. WILLARD and L.C. WILLARD ROOFING</i>
Labor and Workforce Development Agency ("LWDA") Department of Industrial Relations Attn. PAGA Administrator 1515 Clay Street, Ste. 801 Oakland, CA 94612	<i>Labor and Workforce Development Agency: filed/served online at:</i> <i>https://www.dir.ca.gov/Private-Attorneys- General-Act/Private-Attorneys-General- Act.html</i>



Court Reservation Receipt

Reservation

Reservation ID: 763237618842	Status: RESERVED
Reservation Type: Motion for Order (Motion for Court Approval of PAGA Settlement)	Number of Motions: 1
Case Number: 21STCV20776	Case Title: JOSE D. MEJIA vs LEON C. WILLARD, INDIVIDUALLY
Filing Party: Jose D. Mejia (Plaintiff)	Location: Stanley Mosk Courthouse - Department 34
Date/Time: March 18th 2022, 8:30AM	Confirmation Code: CR-ZHZU2BPJQCWI2KOWC

Fees

Description	Fee	Qty	Amount
Motion for Order (name extension)	60.00	1	60.00
Credit Card Percentage Fee (2.75%)	1.65	1	1.65
TOTAL			\$61.65

Payment

Amount: \$61.65	Type: Visa
Account Number: XXXX5936	Authorization: 06687D

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