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

**CASCADE DRILLING WAGE AND
HOUR CASES**

List of Actions:

Martinez, et al. v. Cascade Drilling LP,
Alameda Case No. RG21090743

Lilla v. Cascade Drilling, LP, Contra Costa
Case No. C211568.

Case No: RG21090743

ASSIGNED FOR ALL PURPOSES TO
JUDGE STEPHEN KAUS, DEPARTMENT 19

**DECLARATION OF PLAINTIFF EUGENE
MARTINEZ IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT AND
MOTION FOR AWARD OF ATTORNEYS'
FEES AND COSTS, CLASS
REPRESENTATIVE INCENTIVE
AWARDS, AND SETTLEMENT COSTS**

Date: June 26, 2023

Time: 3:00 p.m.

Dept. 19

Judge: The Hon. Stephen Kaus

Complaint Filed: April 9, 2021

FAC Filed: May 18, 2021

Reservation No: A21090743-001

Reservation No: A21090743-002

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26 JOHN LILLA

1 I, EUGENE MARTINEZ, declare as follows:

2 1. I am a named Plaintiff and Class Representative in the case against Cascade
3 Drilling, L.P. (“Cascade Drilling”). I submit this Declaration in support of Plaintiffs’ Motion for
4 Final Approval. I am a competent adult, I have personal knowledge of the facts set forth in this
5 declaration, and I could and would testify competently under oath if called as a witness.

6 2. I worked for Cascade Drilling from approximately October 2018 through July
7 2020 at various locations in California.

8 3. I believed it was wrong for Cascade Drilling to not pay employees for all hours
9 worked as well as to not provide adequate meal and rest periods.

10 4. My case against Cascade Drilling was filed on March 3, 2021. Prior to filing the
11 complaint, I first spoke with my attorneys at Capstone Law APC (“Capstone”). I spoke with my
12 attorneys at Capstone for approximately an hour. Capstone and I then discussed bringing this
13 case with another firm, Keller Grover LLP. I then spoke to my attorney Robert Spencer, Esq. of
14 Keller Grover LLP. I spent over an hour describing to Mr. Spencer the facts of my case. We
15 also discussed the process of class action litigation as well as my responsibilities as a class
16 representative. We also discussed the fact that this case would be also be brought as a PAGA
17 action and what that meant, including that a PAGA action is an enforcement action on behalf of
18 the State of California that seeks penalties. I then determined that Capstone and Keller Grover
19 LLP were the proper attorneys to bring my case.

20 5. I worked with Mr. Spencer to draft the PAGA letter. We spent close to an hour on
21 the phone to make sure it was factually correct. I also spent an hour reviewing it before it was
22 sent to the LWDA. I also reviewed the original complaint after it was drafted, Mr. Spencer
23 provided it to me before it was filed. I spent an hour reviewing it before it was filed to make sure
24 it was accurate. The complaint was later amended to add PAGA causes of action, I also reviewed
25 that before it was filed.

26 6. Defendant propounded discovery in September 2021, including 35 special
27 interrogatories, 32 form interrogatories – employment, eight form interrogatories – general, and
28 19 requests for production of documents. Because there were a lot of questions I had to respond

1 to, I had to have multiple telephone calls with Mr. Spencer in order to draft the responses and
2 make sure they were accurate. I spent numerous hours with Mr. Spencer over multiple days in
3 order to draft all the interrogatory responses. Some of these telephone calls were very long,
4 about two hours. I also previously provided my attorneys the documents I found that were
5 related to the case, but I did another search over a couple of days to make sure all the responsive
6 documents were produced. I also spent approximately three hours reviewing my responses to
7 make sure they were accurate.

8 7. Mr. Spencer made me aware that another case like mine was filed by Plaintiff John
9 Lilla. We discussed that Defendant filed a petition to coordinate our cases together. I discussed
10 this with Mr. Spencer and what it meant for the case.

11 8. Mr. Spencer made me aware that Defendant was open to mediating this action. I
12 kept up to date regarding the mediation and made sure I was available on the date of the
13 mediation in order to answer any questions that Mr. Spencer had. I reviewed the Stipulation for
14 Settlement of Class Settlement and Release (“Settlement Agreement”) with Mr. Spencer and
15 spent approximately half an hour discussing with him regarding how the settlement funds were
16 to be distributed and whether the settlement and the plan of distribution were fair. I then spent
17 another hour reviewing the Settlement Agreement, and had another conversation with Mr.
18 Spencer to respond to questions that I had.

19 9. Throughout my involvement in the case, I have maintained regular telephonic
20 communications with Mr. Spencer to discuss the status of the case and to respond to any
21 questions he might have.

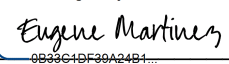
22 10. When I agreed to act as a named plaintiff, I understood that I might be responsible
23 for some of the costs incurred by Defendant if the lawsuit was unsuccessful. In addition to this, I
24 worried about my reputation in the community if people were to find out I had sued somebody.

25 11. I also am concerned about the possible repercussions to my future job
26 opportunities because I have been a plaintiff in a wage and hour lawsuit against an employer.
27
28

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

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

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Declaration was executed on 5/30/2023 at Colton, California.

DocuSigned by:

0033C4DF39A24B1...
EUGENE MARTINEZ

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 **June 1, 2023**, in the case of Cascade Drilling Wage and Hour Cases, Alameda County Superior Court, case number RG21090743, I served the foregoing document(s):

DECLARATION OF EUGENE MARTINEZ IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AND MOTION FOR AWARD OF ATTORNEYS' FEES AND COSTS, CLASS REPRESENTATIVE ENHANCEMENTS, AND SETTLEMENT ADMINISTRATION FEES

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

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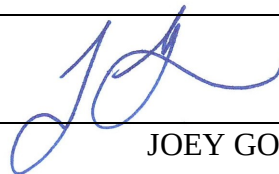
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(BY ELECTRONIC SERVICE) by electronically mailing a true and correct copy in PDF format through our electronic mail system to the email address(es) set forth above, or as stated on the attached service list per agreement between the parties.



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



JOEY GONZALEZ