

Arby Aiwazian (SBN 269827)
Joanna Ghosh (SBN 272479)
Brian J. St. John (SBN 304112)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiff and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES—SPRING STREET COURTHOUSE**

EDUARDO CHINA, individually, and on
behalf of other members of the general public
similarly situated,

Plaintiff,

v.

SOUTHWESTERN INDUSTRIES, INC., an
unknown business entity; and DOES 1
through 100 inclusive,

Defendants.

Case No. 21STCV11874 (lead)
(Consolidated with Case No. 21CMCV00123)

Honorable William F. Highberger
Department SSC-10

CLASS ACTION

**DECLARATION OF EDUARDO CHINA
IN SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, ATTORNEYS'
FEES, COSTS, AND CLASS
REPRESENTATIVE ENHANCEMENT**

[Plaintiff's Motion for Final Approval of Class
Action Settlement, Attorneys' Fees, Costs, and
Class Representative Enhancement;
Declaration of Class Counsel (Joanna Ghosh);
Declaration of Settlement Administrator
(Taylor Mitzner); and [Proposed] Final
Approval Order and Judgment filed
concurrently herewith]

Date: June 17, 2024
Time: 10:00 a.m.
Department: SSC-10

Complaint Filed: March 26, 2021
Trial Date: None Set

DECLARATION OF EDUARDO CHINA

I, **Eduardo China**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in the above-captioned case. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Southwestern Industries, Inc. ("Southwestern") in an hourly-paid, non-exempt position as a Machine Assembler from January 2020 to July 2020. I decided to seek legal advice about my work experiences with Southwestern. I contacted Lawyers *for* Justice, PC and spoke with attorneys there, including Arby Aiwazian. I wanted to do whatever I could to make sure Southwestern was held accountable for not paying its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 7 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for 8 hours discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act ("PAGA") in general, and what it meant to be a named plaintiff, class representative, and eventually a PAGA representative.

3. I have spent over 18 hours meeting with my attorneys regarding the case and fulfilling my responsibilities as a class and PAGA representative, which included gathering documents concerning my employment with Southwestern, reviewing documents with my attorneys and answering their questions, answering questions and providing guidance regarding the duties of hourly-paid or non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Southwestern. I routinely checked in with my attorneys and their staff to make sure that they had all of my most current information and any additional information that I had obtained.

4. As the case progressed, I was available to answer any questions my attorneys had, and available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information and identified as many

documents as I could. I spent at least 10 additional hours speaking with my attorneys about the case, identifying potential witnesses, providing my attorneys with documents and information concerning the case, and also describing policies, practices, and procedures of Southwestern.

5. As far as the settlement is concerned, I was available to review documents and answer any questions my attorneys had. I spent about 2 hours reviewing the settlement agreement and about 3 hours asking questions and discussing the potential settlement with my attorneys before signing the settlement agreement.

6. I believe that I have done everything that my attorneys have asked of me and have tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees and the State of California. I think my efforts helped to get the result obtained in this case, and as a class and PAGA representative, I respectfully request that the Court award me a Class Representative Enhancement in the amount of \$10,000.00 for my active participation in this case. Taking into consideration the time that I have dedicated to this case, I believe that this amount is reasonable.

7. I am not related to anyone associated with Lawyers *for* Justice, PC.

8. I have not entered into any undisclosed agreements, nor have I received any undisclosed compensation in this case. The only compensation I will receive is whatever amount the Court awards as a Class Representative Enhancement, as well as my share of the settlement as a class member and as an aggrieved employee.

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

09/18/2023

Executed this ____ day of September, at Cudahy, California.

Electronically Signed: 2023-09-18 23:32:23 UTC - 172.114.243.125
Nintex AssureSign® 75a9838f-865b-426a-b23b-b081017633ba

Eduardo China