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individually and on behalf of similarly situated employees

SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

AHMAD ZUBAIR HUSSAINI, individually
and on behalf of all other similarly situated
employees,

Plaintiff,

vs.

INTEGRATED RESOURCES, INC., a
California Corporation; SIEMENS
MOBILITY, INC., a Delaware Corporation;
and DOES 1 to 100, inclusive,

Defendants.

Case No. 34-2021-00297152

*Assigned for All Purposes to Hon. Jill H. Talley,
Department 25*

CLASS ACTION

**DECLARATION OF AHMAD ZUBAIR
HUSSAINI IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

Reservation No. 2662354

Date: November 4, 2022
Time: 9:00 a.m.
Dept.: 25

Filed: March 23, 2021
FAC Filed: May 12, 2021
Trial Date: None Set

1 I, Ahmad Zubair Hussaini, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this
3 declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in support
4 of Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement.

5 2. I worked for Defendants Integrated Resources, Inc., and Siemens Mobility, Inc.
6 ("Defendants") from approximately May 6, 2020, to July 11, 2020, as a non-exempt employee. I was
7 subject to all of Defendants' policies and practices that have been alleged as unlawful in the Complaint
8 and the notice sent to the Labor and Workforce Development Agency, including the following: failure
9 to pay overtime, failure to pay minimum wages, failure to provide accurate wage statements, failure to
10 timely pay final wages, failure to provide meal and rest periods or pay premiums in lieu thereof, failure
11 to reimburse employees for incurred expenses.

12 3. I have actively participated in the litigation of this case for the benefit of all Class
13 Members. Prior to obtaining an attorney, I performed several hours of research trying to find a quality
14 attorney to handle the claims. I also performed several hours of research on the potential claims, so I
15 could be sure I could have an informed discussion with the attorneys about the claims and have a better
16 idea of what to expect in litigation and how to help the case proceed. After securing Shimoda &
17 Rodriguez Law, PC, I continued to be actively involved in the case to help ensure a positive outcome.

18 4. My attorneys explained to me the risks and benefits of bringing a class action and a
19 claim under the Private Attorneys General Act ("PAGA"). I understood that pursuing the case as a
20 class and PAGA action meant that it would take substantially longer than pursuing my claims
21 individually, whether in Court or with the California Labor Commissioner, and that I risked getting
22 nothing in the end, but I believed it was important to make sure that Defendants followed the law for
23 everyone. I understood that I took on the risk, both professionally and financially, in pursuing the case
24 as a class and PAGA action rather than pursuing my claims individually. As a Class Representative, I
25 also took on the risk of having to pay Defendants' costs if we were unsuccessful in bringing our claims.

26 5. During the course of this litigation, I have given detailed accounts of all the facts related
27 to my employment. I provided my attorneys with extensive documentation that I believe supported the
28 claims brought against Defendants. I met with and assisted my attorneys in understanding these

1 documents and providing context for Defendants' payroll process as it applied to me and how I believed
2 it applied to Defendants' other employees.

3 6. The work I performed for this case included an extensive review of documents and
4 payroll practices to show and explain to my attorneys what was happening and why I thought it was
5 unlawful. For example, there was a significant amount of time spent on the time recording applications
6 (web and mobile) used by to record mine and Class Members' hours worked, explaining how the
7 applications worked, instructions given by Defendant on the matter of time recording, how those
8 instructions compared to the written policies and practices Defendants maintained, and walking through
9 numerous examples and comparison of time recorded through the applications and corresponding
10 paystubs for that same period to reconstruct the pay practices at issue in this case. I also provided and
11 explained numerous text and phone records with on-site supervisors that were reviewed in tandem with
12 the payroll records to determine where there was (or was not) consistency between Defendant's stated
13 policies, practices, and our claims. This was very important as it helped not only the claims of failure
14 to pay overtime, failure to pay minimum wages, and failure to reimburse expenses claims, but also
15 claims related to meal and rest breaks, waiting time penalties, failure to provide accurate wage
16 statements, and derivative PAGA clams. The review became even more detailed when my attorneys
17 asked me questions about the payroll data sample that was produced as part of informal discovery to
18 engage in mediation.

19 7. I participated in the negotiations and settlement discussions in this case, including
20 participating in mediation by phone, speaking with my attorneys to answer questions, provide any
21 additional information needed to assist the negotiations, and discussing the potential terms of the
22 Agreement to evaluate its adequacy. Because the case did not settle at mediation, I continued these
23 discussions with my attorneys in the negotiations that followed mediation. Throughout the course of
24 this litigation, I have asked questions when I needed clarification about various aspects of this case to
25 make sure there were continually steps taken to advance the interests of Class Members. I regularly
26 called and emailed my counsel, speaking with them to obtain updates on the case and review strategy
27 for the next steps that would be taken.

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1 8. Although I have already spent a substantial amount of time on this case and assisting my
2 attorneys, I expect the amount of time I spend on this case will increase if preliminary approval is
3 granted because Class Members will likely reach out to me about the Settlement and the process for
4 receiving payment.

5 9. I have not received any benefits as a result of filing this lawsuit. I have, however,
6 experienced substantial burdens as a result of filing the lawsuit that other Class Members were not
7 subject to. For example, in bringing the lawsuit, I assumed the risk of having to pay Defendants' costs
8 if the Court or jury rules against us on the claims. My understanding is that this is a substantial risk
9 because the costs associated with litigation, in general, are very high and this cost is multiplied many
10 times over in complex litigation like class actions. I have spent a substantial amount of time in this
11 case, securing a monetary benefit for many individuals who have not had to do anything whatsoever to
12 have the opportunity to receive it. I have been employed full/part-time during the majority of the time
13 this case has been pending. As a result, the time I have spent on this case has to occur during my lunch
14 and/or breaks times, after hours, and on my days off. Rather than spend all my days off pursuing my
15 own personal interests with friends and family, I have spent this time for the benefit of Class Members.
16 Finally, as part of the Settlement, I am the only individual providing a general release of all my
17 individual claims and waiving the protections of California Civil Code section 1542 for unknown
18 claims. No other Class Member is subject to such a broad release.

19 10. I have reviewed the final Joint Stipulation of Class Action and PAGA Settlement and
20 Release, discussed the terms with my attorney, and asked my attorney any questions I had. I believe
21 the terms of the Settlement and allocations are fair and reasonable given the facts of the case.

22 11. I understand that any Class Representative Enhancement Payment I may receive is for
23 my participation as a Class Representative and it is not contingent on my support or approval of the
24 Agreement.

25 I declare under penalty of perjury under the laws of the State of California that the foregoing is
26 true and correct. Executed this 9th of October 2022 in Elk Grove, California.

DocuSigned by:

Almad Zubair Hussaini

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Almad Zubair Hussaini