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Attorneys for Plaintiff JESUS LOPEZ,
individually and on behalf of all others similarly situated

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

JESUS LOPEZ, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

ECOLOGY AUTO PARTS INC., a California
Corporation; and DOES 1-50, inclusive,

Defendants.

Case No. 21STCV15403

ASSIGNED FOR ALL PURPOSES TO:

JUDGE: Hon. Elihu M. Berle

DEPT: 6

**DECLARATION OF JESUS LOPEZ IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: May 04, 2023

Time: 9:00 a.m.

Dept.: 6

DECLARATION OF JESUS LOPEZ

I, JESUS LOPEZ hereby declare as follows:

1. I am over the age of eighteen and I submit this Declaration in support of the motion for preliminary approval of the settlement and fees, costs and enhancement. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendants ECOLOGY AUTO PARTS, INC. ("Defendants") in approximately June 2012 as a Non-Exempt Employee working as a Driver and Parts Counter Associate. I worked during the liability period for Defendants until my separation from Defendant's employ in approximately October 2020. I typically worked 5 days a week and 40 or more hours per week.

3. As a non-exempt employee, I suffered the same damages as other employees. These included not being paid all my wages, not provided meal periods or permitted rest periods, not provided accurate wage statements, not reimbursed expenses, not timely paid wages upon my separation from Defendant's employ, not provided accurate itemized wage statements, as well as violations under the UCL all in accordance with California law. As a result of these alleged violations, I sought consultation with my attorneys at James Hawkins, APLC.

4. Based upon my allegations, and after consultation and full disclosure from my attorneys about the potential risks I faced as a Plaintiff in a putative class action, I freely decided to pursue this lawsuit to try and vindicate my rights and the rights of others who also worked for Defendants and suffered similar harms due to Defendant's common practices and policies.

5. Prior to filing my action, my attorneys and I had multiple conferences about the factual bases for the claims that I wanted to pursue against Defendant. During those conferences, my attorneys provided me with an overview of how those claims would be litigated and generally educated me about the nature of complex/representative litigation and my role as the representative Plaintiff.

6. My attorneys provided me with a draft of the complaint for my review and approval. I closely reviewed the complaint to ensure accuracy and completeness. As a result, I

1 caused my attorneys to file the class action complaint alleging claims for the allegations alleged
2 therein. Thereafter, I have been fully involved in my case. Following the filing of the complaint,
3 I collaborated with my attorneys on the prosecution of my claims, and I regularly contacted my
4 attorneys to stay current on the status of the litigation, and to discuss my attorneys' progress in
5 prosecuting the claims.

6 7. Since I believe I was not accurately paid all my wages, not provided meal periods
7 or permitted rest periods, not provided accurate wage statements, not timely paid wages upon
8 my separation from Defendant's employ, not provided accurate itemized wage statements,
9 violations of my rights under the Fair Credit and Reporting Act, as well as violations under the
10 UCL I believe that I have been similarly injured as to all other class members in the settlement
11 who worked for Defendants during the class period. I believe the claims asserted in the
12 Complaint is also shared by the other Class Members. I worked with various other non-exempt
13 employees and I believe we were all treated the same and subject to the same unlawful policies.

14 8. Since I agreed to become a Class Representative, I have worked every step of the
15 way with my attorneys. During the course of the litigation, I have always kept the best interest of
16 the Class Members on equal footing as mine. I have been, and I am willing to continue to pursue
17 the Class Members' claims vigorously on our collective behalf if the Settlement is not finally
18 approved. As a result, I firmly believe that I do not have any interests adverse to the interests of
19 the Class Members. I have maintained the Class Members best interest from the inception of the
20 case.

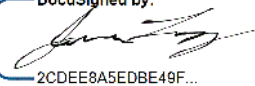
21 9. As one of the Class Representatives, I have spent numerous hours consulting with
22 my attorneys, providing documentation, consulting with other Class Members, responding to
23 questions by my attorneys, providing documents to my attorneys, working with my attorneys to
24 review documents received, helping my attorneys in preparing for the mediation and attending
25 the mediation via telephone. I was consulted about the status of the case and provided constant
26 feedback about the case from my attorneys including the mediation, settlement negotiations and
27 eventual settlement. I estimate I have spent approximately 45 hours working on this case.

28 10. From the beginning of this case, I have freely chosen to accept the risks of

1 being the Class Representative in this class action lawsuit. I chose to assume these risks and
2 pursue the claims on behalf of the Class Members as I wanted to vindicate their rights. I believe
3 we have achieved that result with the settlement and the individual payments to the Class
4 Members. I believe the settlement is fair reasonable and adequate based on the numerous defenses
5 asserted by Defendants. I believe the efforts and work I put forth helped to achieve the fair
6 settlement that will benefit the Class Members. As a result of my efforts, I also believe the Class
7 Representative Enhancement Award is reasonable, and I respectfully request the Court approve
8 the amount of \$10,000.00 as fair and reasonable.

9 I declare under penalty of perjury under the laws of the state of California that the
10 foregoing is true and correct. Executed on February 27, 2023, at Los Angeles, California.

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JESUS LOPEZ