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Attorneys for Plaintiff, NICKOLAS ORTIZ,
in a representative capacity, and on behalf of
other members of the general public
similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF IMPERIAL

PRISCILLA LOPEZ, in a Representative
capacity only, and on behalf of other members
of the general public similarly situated,

Plaintiff,

v.

GEO SECURE SERVICES, LLC, a Florida
Limited Liability Company; and DOES 1-10

Defendants.

CASE NO.: ECU002060

[Assigned for all purposes to the Hon. Jeffrey
Jones in Dept. 5]

**DECLARATION OF PLAINTIFF
NICKOLAS ORTIZ IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT**

DECLARATION OF NICKOLAS ORTIZ

1
2 1. I am a party to this action and reside in the State of California. I am fully competent
3 to make this declaration. I have personal knowledge of the facts set forth herein, except for those
4 stated on information and belief, and as to those I am informed and believe them to be true. If
5 called upon to testify, I could and would testify as set forth herein.

6 2. I make this Declaration in support of Plaintiff's Motion for Final Approval of Class
7 and Representative Action Settlement.

8 3. I was employed by GEO Secure Services, LLC ("Defendant") as a non-exempt,
9 hourly paid employee, with duties that included, but were not limited to, supervising detainees,
10 preparing food, and providing janitorial services from approximately November of 2020 through
11 approximately July of 2021.

12 4. I am informed and believe that throughout my employment with Defendant myself
13 and other non-exempt employees of Defendant were not paid all wages owed because we were
14 not paid for all time under Defendant's control, or for which we were suffered or permitted to
15 work by Defendant. In addition, I am informed and believe we were not paid all overtime hours
16 worked at the overtime rate of pay owed due to, without limitation, failure to record all time
17 worked and failure to pay for off-the-clock work.

18 5. During my employment with Defendant, I often took meal periods that were after
19 the fifth hour, short, or not duty-free. I witnessed other non-exempt employees with my job duties
20 often taking meal periods that were after the fifth hour, short, or not duty-free, as well.

21 6. I do not recall receiving premium pay for each of the full, timely and uninterrupted
22 meal periods I was not provided an opportunity to take and am informed and believe that my
23 coworkers were also not provided premium pay for the times they were not provided with the
24 opportunity to take full, timely and uninterrupted meal periods either.

25 7. I believe I was often not provided with opportunities to take full, uninterrupted 10-
26 minute rest periods while working with Defendant and am informed and believe my coworkers
27 were often not provided with such opportunities, either.

28 ///

1 8. I do not recall receiving premium pay for each of the full rest breaks I was not
2 provided an opportunity to take and am informed and believe that my coworkers were also not
3 provided premium pay for the times they were not being provided with the opportunity to take
4 full, uninterrupted 10-minute rest periods, either.

5 9. Before and during the course of litigation, I was actively involved in assisting my
6 attorneys to support the wage and hour claims asserted. My involvement began before the initial
7 complaint was filed wherein, I provided first-hand knowledge and documentation as to
8 Defendant's practices, their ownership and corporate structure, and their wage and hour policies
9 and practices.

10 10. Part of the information I relayed was with regard to Defendant's timekeeping policies
11 and practices, and their meal and rest period policies and practices.

12 11. I provided them with all the documentation provided to me by Defendant during my
13 employment.

14 12. I assisted in reviewing time and payroll records with my attorneys, and informed
15 them of Defendant's employment policies, and whether those policies matched Defendant's
16 practices.

17 13. My attorneys called me to ask me questions over several times throughout the
18 litigation and I contacted my attorneys several times to stay updated on the case and offer my
19 assistance on any matters I could be helpful with. I was also available for mediation by telephone,
20 during which I was available to be called to answer the questions posed by the mediator regarding
21 the asserted claims, as well as arguments raised by Defendant. In addition, I worked with my
22 attorneys over the next several months after mediation to understand and execute a long form
23 settlement agreement.

24 14. Over the past few months since the mediation has been resolved, I have stayed in
25 touch with my attorneys to ensure that there was no undue delay in payment for other class
26 members for whom I brought this Action.

27 15. I believe that, through the present, I have spent at least 25 hours in connection with
28 this matter, which included time spent having preliminary calls with my attorneys; doing an intake

1 with my attorneys; time spent searching for documents relating to my employment; time spent
2 reading and understanding the Settlement Agreement; time spent answering calls to discuss
3 Defendant's timekeeping, pay, meal and rest periods, and to review time and payroll records; time
4 spent discussing with my attorneys' Defendant's policies and practices; time spent on-call at
5 mediation; and time spent checking in on the status of the case, among other things. I also spent
6 time preparing this declaration to support Plaintiffs' Motion for Final Approval of Class and
7 Representative Action Settlement.

8 16. I feel that by bringing this lawsuit, I could stand up for not only my rights but the
9 rights of other employees who suffered from the same unfair wage practices. I felt that current
10 employees might not want to share their experiences with Defendant since they feared losing their
11 jobs. This is certainly understandable as I, too, have to provide for myself and others.

12 17. By bringing this lawsuit, I have put the interests of the class ahead of my own.

13 18. I understood that I could possibly earn a small enhancement if this case is resolved
14 favorably. I also knew that I could face retaliation from Defendant and backlash from former
15 coworkers who are loyal to Defendant.

16 19. I have also had to provide a general release of claims to Defendant as part of the
17 settlement. My understanding, in addition, is that if I brought this case individually, I may have
18 earned more compensation individually and on a much quicker timeline than the timeline to
19 resolve this Action.

20 20. My goal in bringing this lawsuit was to obtain a recovery on behalf of the class,
21 and, even more importantly, to put an end to what I believe are illegal practices on the part of
22 Defendant. I believe I have achieved both through this lawsuit and settlement.

23 ///

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct this 11 day of April 2024, at Earlimart, California.

26
27 
28 Nickolas ortiz (Apr 11, 2024 17:07 PDT)

NICKOLAS ORTIZ