

Brian J. Mankin, Esq. [SBN 216228]
brian@lmlfirm.com
Peter J. Carlson, Esq. [SBN 295611]
peter@lmlfirm.com
LAUBY, MANKIN & LAUBY LLP
5198 Arlington Avenue, PMB 513
Riverside, CA 92504
Tel: (951) 320-1444 | Fax: (951) 320-1445

Attorneys for Plaintiff Jose Maldonado and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

JOSE MALDONADO, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

ADD-ON COMPUTER PERIPHERALS
LLC, a California Limited Liability
Company; and DOES 1 through 20, inclusive;

Defendants.

Case No.: 30-2021-01206062-CU-OE-CXC
*[Assigned to Hon. William Claster, Dept
CX104, for all purposes]*

**DECLARATION OF PLAINTIFF JOSE
MALDONADO IN SUPPORT OF CLASS
ACTION SETTLEMENT**

Complaint filed: June 14, 2021

I, Jose Maldonado, state and declare:

1. I am the plaintiff in the above-captioned action and have personal knowledge of
all matters stated herein and could competently testify thereto.

2. I make this declaration in support of the motion for final approval of the class
action settlement reached in this matter. As discussed herein, I believe that the settlement is fair
and reasonable and constitutes a fair resolution of the claims alleged.

3. During my employment with Add-On Computer Peripherals, I thought that were
issues with my pay as well as my meal periods and rest breaks. Because of these issues, I started

1 researching California law and contacted attorneys regarding how I was treated.

2 4. I then contacted Lauby, Mankin & Lauby LLP and understood that I had two
3 options: (1) I could bring a class action to help all of the employees, but I would have to put their
4 interests ahead of my own, or (2) I could bring my individual case and claims and attempt to
5 maximize my individual recovery. This decision was very difficult because I wanted to
6 maximize my individual recovery, but I also wanted to help everyone else that was wronged by
7 the company. And, if I joined the class action, I was worried that I might get labeled as a
8 whistleblower, which might make it hard to find a job in the future. In the end, I decided that –
9 despite the risks – it was important to bring these claims as a class action to hold the company
10 accountable for how they treated their employees.

11 5. I respectfully request that the Court approve the agreed-upon service award for
12 the following reasons.

13 6. First, I have spent substantial time working on this case, and I estimate that I have
14 spent no less than 40 hours engaged in activities to benefit the class. I have assisted my attorneys
15 in numerous ways, including helping to explain and discuss the company’s practices and their
16 general practices and procedures, locating and analyzing company documents, and
17 communicating with other class members. These efforts occurred through numerous telephone
18 conferences, letters, emails, and text communications. I also assisted in preparation for mediation
19 and helped obtain a positive result for the class.

20 7. Second, I respectfully request that the Court approve the agreed-upon service
21 award because I agreed to set aside my personal interests and to put the interests of the class
22 ahead or on par with my own. In doing so, and by successfully bringing this case as a class
23 action, I helped to obtain a highly beneficial settlement for the class members.

24 8. I also believe that the requested service award is fair and reasonable given that I
25 have faced substantial risks and made numerous sacrifices to obtain this class action settlement.

26 9. For example, filing this lawsuit and being a whistle blower was stressful on a
27 day-to-day basis as I have constantly worried about the risk that this case could impact my ability
28 to find future jobs. This stress lasted for the entire case, and I’m worried that bringing this case

1 will continue to make it hard to find a job in the future since the case information is all available
2 online. Additionally, I believe that this case did in fact impact my ability to find a job because I
3 had a harder time getting interviews or job offers after filing the case.

4 10. Bringing this case also came with a major financial risk in bringing this case
5 because, if I lost the case, I would be required to pay the company's costs, which could be over
6 \$10,000, and there was a chance they could try to make me pay their attorneys' fees as well.

7 11. Additionally, as a condition of this class action settlement, I was required to
8 compromise on and waive all possible individual claims against Add-On. Although I did not
9 have a case pending at the time, I was considering bringing a wrongful termination case for the
10 way that I was terminated. In that sense, I was considering pursuing claims to recover significant
11 lost wages and compensation for pain and suffering, but the proposed class action settlement
12 required me to waive all of my claims in order to benefit all of the other employees that were
13 mistreated by Add-On. Ultimately, I agreed to waive my individual claims without a separate
14 individual settlement (which potentially caused me to lose significant lost wages and other
15 damages) in exchange for a service award because I believed it was in the best interests of the
16 class members.

17 12. Therefore, I believe that the requested \$7,500 service award is justified based on
18 the time I spent on the case, the risk and stress I faced, as well as my decision to waive my
19 separate individual claims in order to secure this highly beneficial class action settlement.

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

22 Executed on Feb 13, 2023, at Aliso Viejo, California.

23
24 By: 
25 Jose Maldonado (Feb 13, 2023 15:20 PST)
26 Jose Maldonado
27
28