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Attorneys for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

FABIAN RIVERA, individually, and on
behalf of other members of the general
public similarly situated;

Plaintiff,

vs.

METRO RF SERVICES, INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendant.

Case No. CIVSB2121607

Honorable Tony Raphael
Department S36

CLASS ACTION

**DECLARATION OF FABIAN RIVERA IN
SUPPORT OF PLAINTIFF'S NOTICE OF
MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

[Notice of Motion and Motion for Preliminary
Approval of Class Action and PAGA Settlement;
Memorandum of Points and Authorities in Support
Thereof; Declaration of Proposed Class Counsel
(Helene Mayer); and [Proposed] Order filed
concurrently herewith]

Date: December 24, 2024
Time: 8:30 a.m.
Department: S36

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

DECLARATION OF FABIAN RIVERA

I, **Fabian Rivera**, 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 along with the Private Attorneys General Act (“PAGA”) representative action entitled *Fabian Rivera v. Metro R.F. Services, Inc.*, San Bernardino Case No. CIVSB2123539. 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 Metro R.F. Services, Inc. (“Metro R.F.”) from approximately February 2020 to approximately July 2020 as an hourly-paid, non-exempt Field Technician. I decided to seek legal advice about my work experiences with Metro R.F. and about pursuing my grievances. I contacted Lawyers for Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Metro R.F. was held accountable for not properly compensating their employees for all hours worked, non-compliant meal and rest breaks, and failure to reimburse expenses. I consulted with the attorneys and staff at Lawyers for Justice, PC 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 a PAGA representative. Prior to commencing the case, I was informed of and came to understand what my duties and responsibilities would be as a plaintiff, a PAGA representative, and also, if class certification were to be obtained and if I were to be appointed as a representative of the class, what my duties and responsibilities would be in that event

3. Throughout the cases, I have spent time speaking with my attorneys regarding the cases and fulfilling my responsibilities as a class representative and PAGA representative, which included gathering documents concerning my employment with Metro R.F., reviewing documents with my attorneys, answering questions, providing guidance regarding the duties of other non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Metro R.F. 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. Throughout these matters, 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

1 as quickly as possible and gave them as much information and identified as many documents as I
2 could. I spent time speaking with my attorneys about the cases, identifying potential witnesses,
3 providing my attorneys with documents and information concerning the cases, and also describing
4 policies, practices, and procedures of Metro R.F.

5 5. As far as the settlement is concerned, I was available to review documents and
6 answer any questions my attorneys had. I reviewed the Memorandum of Understanding and the
7 Settlement Agreement and discussed the questions I had regarding the potential settlement with
8 my attorneys before signing the settlement papers.

9 6. I think my efforts helped to get the result obtained in this case, and as a potential
10 class and PAGA representative, I respectfully request that the Court award me an enhancement
11 award for my efforts in pursuing and participating in this matter, as well as my broader release of
12 claims. Taking into consideration the time and effort that I have dedicated to this matter, I believe
13 that this amount is reasonable.

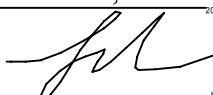
14 7. I am not related to anyone associated with Lawyers for Justice, PC.

15 8. I have not entered into any undisclosed agreements, nor have I received any
16 undisclosed compensation in this matter. The only compensation I will receive is whatever amount
17 the Court awards as an enhancement award, as well as my share of the settlement as a class member
18 and aggrieved employee.

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

21 Executed this _____ day of October 2024, at Whittier, California.

22 10/25/2024

23 
24 Electronically Signed 2024-10-25 21:02:56 UTC - 107.116.170.87
25 Nintex AssureSign® be36a9c2-76f9-456e-b5a5-b21401399a9d

26 Fabian Rivera
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