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Attorneys for Plaintiff Israel Cruz Chan, and
on behalf of other similarly situated employees
of Defendants

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

CHRIS N. DILLER, EDWARD
SANDOVAL, and ISRAEL CRUZ
CHAN, on behalf of themselves and all
others similarly situated;

Plaintiffs,

vs.

WORLDWIDE AUTO PARTS, INC.; a
corporation; ADVANCE STORES, INC.,
a corporation; and DOES 1 through 10,
inclusive,

Defendants.

CASE NO. 34-2020-00281372

**DECLARATION OF ISRAEL CRUZ
CHAN IN SUPPORT OF NAMED
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND RELEASE**

Date: October 21, 2022
Time: 9:00 a.m.
Dept.: 27
Judge: Hon. Jill Talley

DECLARATION OF ISRAEL CRUZ CHAN

I, Israel Cruz Chan, respectfully declare as follows:

1. I am an adult over the age of 18 years and a class representative in the action
entitled *Chris N. Diller et al v. Worldwide Auto Parts, Inc. et al* , San Francisco County
Superior Court Case No. 37-2021-00035159-CU-OE-CTL.

2. The statements made in this declaration are based on my personal knowledge
and, if called as a witness, I could and would competently testify thereto under oath.

3. I make this declaration in support of the Motion for Final Approval of Class
Action Settlement ("Settlement").

1 4. I worked for Defendants in California as a driver/cashier at Defendant's store
2 from approximately March 2019 to August of 2020. I worked as an hourly, nonexempt
3 employee of Defendant, under the same policies and procedures as the rest of the
4 Settlement Class, and was paid under the same compensation policy as other Settlement
5 Class Members who were employed by Defendants.

6 5. I understood since the start of this case that as a class representative in this
7 action, I have a fiduciary duty to the Class. My duties as a class representative were
8 explained to me by my attorneys. I understood and accept my fiduciary duties to the Class.

9 6. I understood that in representing the interests of the Class, I must consider
10 their interests above my own interests in this case.

11 7. I understood that I needed to oversee the progress of this case on behalf of
12 the Class, regularly communicate with my attorneys, keep myself updated about the
13 progress of this case, pass on information to and answer questions from class members, if
14 necessary, inform my attorneys of any new developments or information relevant to the
15 lawsuit, and participate in decisions related to the lawsuit.

16 8. I have always been committed to championing the claims and rights of the
17 Class that Defendant violated, and will continue to stand up for the best interest of the
18 Class. In acting as a class representative, I have always acted in the best interest of the
19 Class, and have not placed my own personal interest above the interests of the Class.

20 9. I am familiar with the work done in litigating this lawsuit and kept myself
21 informed about the discovery and settlement negotiations conducted in this case. I actively
22 participated in all stages of the case.

23 10. I believe that the requested Class Representative Enhancement award of
24 \$5,000.00 is fair and reasonable in light of the time I have spent on this case, and the risk I
25 assume in acting as a class representative. In acting as a class representative, I have
26 adequately and fairly represented the Class, and have spent numerous hours working on
27 this lawsuit. Specifically, I have: (1) had numerous meetings with my attorneys, Rastegar
28 Law Group, APC, before, during and after the filing and settlement of this lawsuit; (2)

1 provided my attorneys with information and documentation regarding my wage claims; (3)
2 informed my attorneys of other employees who experienced the same wage and hour
3 violations I did; (4) assisted my attorneys in preparing for the mediation in this action and
4 discussed issues related to the potential settlement of this action; (5) provided information
5 to assist in settlement negotiations; and (6) approved the Settlement that was ultimately
6 achieved. I estimate that the time I spent in this case is approximately 15 hours.

7 11. I know that by being the named plaintiff in this case, I subjected myself to
8 the possibility that future potential employers may discover that I was the named plaintiff
9 in this case and that it could affect my ability to obtain future employment.

10 12. To my knowledge, I have not suffered any actual injury because I am the
11 named plaintiff in this case.

12 13. I have not received any benefits as a result of prosecuting this action.

13 14. I did not incur any expenses to prosecute this action.

14 15. I have never been a class representative in any case other than this one.

15 16. I will continue to actively participate in this matter until it is finalized. I will
16 continue to oversee progress of this case on behalf of myself and the other class members
17 by regularly communicating with my attorneys and keeping updated about the progress of
18 the case, to pass on information to and answer questions from class members, to inform my
19 attorneys of any new developments or other information relevant to the suit, and to
20 participate in decisions considering the handling of the suit.

21 17. I believe that the Settlement obtained on behalf of the Class is fair and
22 reasonable in light of the issues presented by this case. I therefore request that the Court

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1 grant final approval of the Settlement Agreement, and grant the motion for attorney's fees,
2 enhancement award and costs as requested.

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

5 Executed on September 5, 2023, at San Ysidro, California.

6 Israel
7 Cruz Chan

8 Israel Cruz Chan

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ISRAEL CHAN DECLARATION (1)

Final Audit Report

2023-09-05

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