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Attorneys for Plaintiff

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

DANILO CORTEZ FLORES; individually, and
on behalf of other aggrieved employees pursuant
to the California Private Attorneys General Act,

Plaintiff,

vs.

ESPOSTO'S, INC, a California corporation;
ESPOSTO'S FINE FOODS, INC., a California
corporation; WILLIAM ESPOSTO, individually;
and DOES 1 through 100, inclusive,

Defendants.

Case No.: 21-CIV-05152

Honorable V. Raymond Swope
Department 23
Courtroom 8A

**DECLARATION OF DANILO CORTEZ
FLORES IN SUPPORT OF PLAINTIFF'S
MOTION FOR APPROVAL OF PRIVATE
ATTORNEYS GENERAL ACT (CAL. LABOR
CODE § 2698, ET SEQ.) SETTLEMENT
AGREEMENT AND AWARD OF
ATTORNEYS' FEES AND COSTS, GENERAL
RELEASE FEE, AND SETTLEMENT
ADMINISTRATION COSTS**

Date: September 23, 2024
Time: 2:00 p.m.
Department: 35

Complaint Filed: September 21, 2021
Trial Date: None Set

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I, **Danilo Cortez Flores**, 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. 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 jointly employed by Esposto's, Inc., Esposto's Fine Foods, Inc., and William Esposto ("Defendants") from approximately March 2019 to approximately December 2020 as a non-exempt, hourly-paid employee. I decided to seek legal advice about my work experiences with Defendants 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 Defendants were held accountable and stopped their practice of not properly compensating aggrieved employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated representative action lawsuits on my own and did some research into the leading employment law firms in California for approximately **3 hours**. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for **4 hours** discussing my situation, representative action lawsuits under the California Private Attorneys General Act ("PAGA"), and what it meant to be a PAGA representative.

3. I have spent over **9 hours** communicating with my attorneys regarding the case and fulfilling my responsibilities as a PAGA representative, which included gathering documents concerning my employment with Defendants, reviewing documents with my attorneys, providing information regarding the duties of hourly-paid and non-exempt employees and helping develop a strategy as to what documents and information to obtain from Defendants. 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. As the case progressed, I was available to answer any questions my attorneys had and was available to speak and meet with my attorneys whenever they needed me. I responded to them as quickly as possible and gave them as much information and identified as many documents as I could. I spent at least **6 additional hours** speaking with my attorneys about the case, identifying potential witnesses, providing my attorneys with documents and information concerning the case, and also describing written and non-written policies, practices, and procedures of Defendants.

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2 5. As far as the settlement is concerned, I was available to review documents and answer any
3 questions my attorneys had. I spent about **3 hours** reviewing the settlement agreement and about **2 hours**
4 asking questions and discussing the potential settlement with my attorneys before signing the settlement
5 agreement.

6 6. I believe that I have done everything that my attorneys have asked of me and have tried,
7 to the best of my ability, to seek relief for the aggrieved employees and the State of California. I think
8 my efforts helped to get the result obtained in this case.

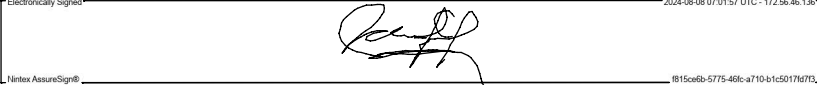
9 7. For my broader individual waiver and release of claims with a California Civil Code
10 Section 1542 waiver (set forth in Section 8(b) of the Settlement Agreement), the Settlement provides for
11 a General Release Fee to me in the amount of up to \$7,500.00, to be paid out of the Total Settlement
12 Amount, subject to Court approval. I respectfully request that the Court award me full payment of the
13 General Release Fee.

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

15 9. I have not entered into any undisclosed agreements, nor have I received any undisclosed
16 compensation in this case. The only compensation I will receive is whatever amount the Court awards as
17 a general release fee, as well as my share of the settlement as an aggrieved employee.

18
19 I declare under penalty of perjury under the laws of the State of California that the foregoing is
20 true and correct. 08/08/2024

21 Executed this ___ day of August 2024, at San Bruno, California.

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23  Electronically Signed 2024-08-08 07:01:57 UTC - 172.56.46.136
Vertex AssureSign® 1815cae8b-5775-466c-a710-b1c5017b67d3

24 Danilo Cortez Flores