

Edwin Aiwazian (SBN 232943)
Arby Aiwazian (SBN 269827)
Joanna Ghosh (SBN 272479)
Brian J. St. John (SBN 304112)
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Tel: (818) 265-1020 / Fax: (818) 265-1021

Attorneys for Plaintiffs

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

LES ARRIOLA, individually, and on behalf of
other members of the general public similarly
situated and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act;

Plaintiff,

vs.

MULTI MECHANICAL, INC., an unknown
business entity; and DOES 1 through 100,
inclusive,

Defendants.

ARMANDO ZUNIGA, individually, and on
behalf of other aggrieved employees pursuant
to the California Private Attorneys General Act;

Plaintiff,

vs.

MULTI MECHANICAL, INC., a California
Corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No. RIC2003696
(Consolidated with Case No. CVRI2104327)

Honorable Harold Hopp
Department 1

CLASS ACTION

**DECLARATION OF LES ARRIOLA IN
SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT,
ATTORNEYS' FEES AND COSTS,
AND ENHANCEMENT AWARD**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees and Costs, and Enhancement
Award; Declaration of Class Counsel (Edwin
Aiwaizian); Declaration of Settlement
Administrator (Jarrod Salinas); and
[Proposed] Final Approval Order and
Judgment filed concurrently herein]

Date: July 24, 2023
Time: 8:30 a.m.
Department: 1

Arriola Action Filed: September 16, 2020
Zuniga Action Filed: September 22, 2021
Trial Date: None Set

DECLARATION OF LES ARRIOLA

I, **Les Arriola**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I one of the named plaintiffs in the above-captioned consolidated cases. 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 Multi-Mechanical, Inc. ("Multi-Mechanical") from approximately February 2015 to approximately April 2017 and from approximately March 2018 to approximately March 2020 as an hourly-paid, non-exempt employee. I decided to seek legal advice about my work experiences at Multi-Mechanical 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 Multi-Mechanical paid me and other employees what was owed to us and stopped its practice of not properly compensating its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour and class action lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately **6 hours**. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for almost **9 hours** discussing my situation, complex wage-and-hour class actions and representative action lawsuits under the Private Attorneys General Act ("PAGA") in general, and what it meant to be a named plaintiff and class representative.

3. I have spent over **14 hours** communicating with my attorneys regarding the case and fulfilling my responsibilities as both a class representative and PAGA representative, which has included gathering documents concerning my employment with Multi-Mechanical, reviewing documents with my attorneys and answering their questions, providing information regarding the duties of other non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Multi-Mechanical. 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.

1 4. Throughout the case, I was available to answer any questions my attorneys had,
2 and available to speak and meet with my attorneys whenever they needed me. I responded to
3 them as quickly as possible and gave them as much information as I could. I spent at least **15**
4 **additional hours** speaking with my attorneys about the case, identifying potential witnesses,
5 providing my attorneys with documents and information concerning the case, and also describing
6 policies, practices, and procedures of Multi-Mechanical.

7 5. As far as the settlement is concerned, I spent about **4 hours** reviewing the
8 settlement papers and about **3 hours** asking questions and discussing the potential settlement
9 with my attorneys before signing the settlement agreement.

10 6. I have not entered into any undisclosed agreements, nor have I received any
11 undisclosed compensation in this case. The only **compensation** I will receive is whatever
12 amount the Court awards as an enhancement award, as well as my share of the settlement fund as
13 a class member. Based on my understanding from the estimated amount listed in my class notice,
14 I anticipate I will receive approximately \$2,500.83 under the regular terms of the settlement as a
15 class member.

16 7. I believe I took on a substantial risk in agreeing to serve as the Class
17 Representative despite being made aware that there was no certainty regarding the outcome of
18 the case or how long it would take to recover the wages owed to myself and the other class
19 members.

20 8. I fully understand the substantial risk I faced in serving as a Class Representative
21 and that doing so could make the case more complex. However, I did so to ensure that not only
22 myself but others would be able to receive what they were owed.

23 9. Since joining this lawsuit, I have considered the interests of the Class Members
24 just as I would consider my own interests. I understand and have understood throughout the
25 lawsuit that I must put the interests of the Class Members before my own interests. Although I
26 was concerned and afraid about being the Class Representative in this public lawsuit, I decided
27 to put my own interests aside and bring a lawsuit that would be beneficial not just for myself, but
28 for all employees. I have not yet suffered any adverse consequences as a result of this lawsuit,

1 but neither have I received any benefit for representing the Class or for the help I provided my
2 attorneys. As of this date, I have not incurred any expenses to further prosecution of this action.

3 10. Furthermore, as part of the Settlement, I have agreed to a much broader individual
4 release than that agreed to by the rest of the Class. This release encompasses all claims I have or
5 claim to have, or have ever had or claimed to have, known or unknown, suspected or
6 unsuspected, against the Released Parties through the date of execution of the Settlement
7 Agreement, including but not limited to any claims against Defendant and the Released Parties,
8 arising out of or relating to the my employment or the termination of employment with
9 Defendant and any of the other Released Parties, and includes a waiver of my respective rights
10 under Civil Code Section 1542.

11 11. I believe that I have done everything that my attorneys have asked of me and have
12 tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees
13 and the State of California. I think my efforts helped to get the result obtained in this case, and
14 as a class and PAGA representative, I respectfully request that the Court award me an
15 enhancement award in the amount of \$7,500.00 for my active participation in this case. Taking
16 into consideration the time that I have dedicated to this case, I believe that this amount is
17 reasonable.

18 12. I am not, and have never been, a named class or PAGA representative in any
19 other case, pending or closed.

20 13. I am not related to anyone associated with Lawyers *for* Justice, PC. Also, I do not
21 have any relationship with the proposed *cy pres* recipient California Rural Legal Assistance, Inc.

22 14. I have not entered into any undisclosed agreements, nor have I received any
23 undisclosed compensation in this case. The only compensation I will receive is whatever amount
24 the Court awards as an enhancement award, as well as my share of the settlement fund as a class
25 member and an aggrieved employee.

26 ///

27 ///

28 ///

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

06/29/2023

3 Executed this _____ day of June 2023, at North Hollywood, California.

4 A rectangular box containing a handwritten signature in black ink. The signature appears to be 'Les Arriola'. Above the signature, the text 'Electronically Signed' is visible. Below the signature, the text 'Nintex AssureSign®' is visible on the left and a long alphanumeric string '5752bad1-c588-40a4-8c8c-80300173869a' is visible on the right.

5 Les Arriola