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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF RIVERSIDE

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

Plaintiff,

v.

ABILITY COUNTS, INC., a California
corporation; MOHENI GAJI, individually; and
DOES 1 through 100, inclusive,

Defendants.

REYNALDO RIOS, individually, and on
behalf of other members of the general public
similarly situated; MICHELLE CHASE,
individually, and on behalf of other members of
the general public similarly situated;

Plaintiffs,

v.

ABILITY COUNTS, INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No. CVRI2104367

Consolidated Case No.: CVRI2105433

**DECLARATION OF REYNALDO RIOS
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS AND PAGA ACTION SETTLEMENT**

Date: September 22, 2025

Time: 8:30 a.m.

Reservation ID: 067215178570

Judge: Hon. Harold W. Hopp

Dept.: 1

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Attorneys for PLAINTIFF

1 I, Reynaldo Rios, declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would competently
3 testify to the following facts from my own personal knowledge. I am a named Plaintiff in the above
4 wage and hour class and PAGA action filed against ABILITY COUNTS, INC. and MOHENI GAJI
5 (hereinafter “Defendants”).

6 2. This declaration is being submitted in support of Plaintiffs’ Motion for Preliminary
7 Approval of Class Action and PAGA Settlement.

8 3. I believe that I am, have been and will continue to represent the interests of the class fairly
9 and adequately. I have claims that are typical of the claims the Class Members that I am seeking to
10 represent.

11 4. I worked for Defendants as a non-exempt employee from February 2020 to October 2020.
12 At all times during my employment, I earned an hourly wage and was entitled to legally compliant meal
13 and/or rest periods, and minimum, regular and overtime wages for all hours worked. Throughout my
14 employment, I was subject to Defendants’ written policies and procedures.

15 5. Generally, my lawsuit claims that Defendants failed to provide compliant meal and rest
16 periods, failed to pay for all time worked, failed to reimburse necessary business expenses, and failed
17 to furnish accurate, itemized wage statements.

18 6. I believe that my claims are typical of the claims of the Class Members that I am seeking
19 to represent because I was subject to the same alleged unlawful employment policies and practices at
20 issue in this action, including but not limited to, Defendants’ failure to provide complaint meal and rest
21 periods, failure to pay for all hours worked, failure to issue accurate itemized wage statements, failure
22 to timely pay wages, and failure to reimburse necessary business expenses. Factually, Defendants’
23 policies and practices apply class wide, and Defendants’ liability can be determined by facts common
24 to all members of the Class.

25 7. Further, there is no conflict between my interests and the interests of the class that I am
26 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that
27 I was injured by the same company-wide policies and practices to which the proposed Class was
28

1 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
2 of the Class by initiating this litigation and evaluating the proposed settlement to assure that it is fair.

3 8. I understood at the time that I filed this action, that as a Class Representative, I owed a
4 duty to the putative class members to faithfully prosecute this action with their best interests at the
5 forefront of every decision. I understood that I could not make any decision in this action for the sole
6 benefit of my personal interest. I understood that in executing this duty, I might have been asked to
7 sacrifice my personal best interests for the benefit of the interests of the putative class members.
8 Nevertheless, I knowingly and voluntarily undertook this duty in order to provide the broadest possible
9 relief for my former co-workers for what I perceived to be Defendants' unlawful wage and hour
10 practices. I believe that I faithfully executed the duties of a Class Representative throughout this
11 litigation and will continue to do until this litigation is fully and finally resolved.

12 9. I believe that the proposed settlement before the Court is fair, reasonable and adequate,
13 and made in the best interest of the Settlement Class Members. Consequently, I respectfully, and
14 humbly, I ask the Court to grant preliminary approval of the Settlement and all of its terms.

15 10. I have not negotiated any settlement of individual claims with Defendants separate from
16 the settlement at bar.

17 11. Once preliminary approval of the Settlement is granted, my counsel will file a formal
18 motion for the negotiation Class Representative Service Award. This motion will be accompanied by
19 a further declaration from me that describes the services I performed to prosecute this action, includes
20 an estimate of time I spent performing these services, the risks I assumed or benefits I received in
21 prosecuting this action. This declaration will also identify any adverse consequences I suffered in
22 prosecuting this action.

23 12. I am not a named plaintiff in any other class action or PAGA case, pending or closed.

24 I declare under the penalty of perjury under the laws of the State of California that the foregoing
25 is true and correct. Executed on 07/17/2025, at Riverside (Location/City), California.

26
27 
REYNALDO RIOS