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Attorneys for Plaintiffs

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

GABRIEL CUEVAS, ZACHERY BASTIEN,
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;

Plaintiffs,

vs.

NEW BONNEY, LLC, an unknown business
entity; and DOES 1 through 100, inclusive;

Defendants.

Case No. 34-2021-00305189-CU-OE-GDS

[Consolidated with Case No. 34-2021-
00308194-CU-OE-GDS]

Honorable Lauri A. Damrell
Department 22

CLASS ACTION

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

[Notice of Motion and Motion for
Preliminary Approval of Class Action
Settlement; Declaration of Proposed Class
Counsel (Yasmin Hosseini); Declaration of
Proposed Class Representative (Zachery
Bastien); and [Proposed] Order filed
concurrently herewith]

Reservation No.: A-305189-002
Date: July 26, 2024
Time: 9:00 a.m.
Department: 22

Complaint Filed: July 29, 2021
FAC Filed: April 28, 2022
SAC Filed: January 8, 2024
Trial Date: None Set

DECLARATION OF GABRIEL CUEVAS

I, **Gabriel Cuevas**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the named plaintiffs 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 employed by New Bonney, LLC (“Defendant”) as an hourly-paid HVAC Installer from May 2018 to approximately May 2020. I decided to seek legal advice about my work experiences with Defendant 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 Defendant paid me and other employees what was owed to us and were held accountable for their practice of not properly compensating their employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour 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 8 hours discussing my situation, complex wage-and-hour class actions in general, and what it meant to be a named plaintiff, class representative, and eventually a PAGA representative.

3. I have spent over 20 hours communicating with my attorneys regarding the cases and fulfilling my responsibilities as a named plaintiff, class representative, and PAGA representative, which included gathering documents concerning my employment with Defendant, reviewing documents with my attorneys, providing guidance regarding the duties of hourly-paid and non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Defendant. 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 speak and meet with my attorneys

1 whenever they needed me. I responded to them as quickly as possible and gave them as much
2 information and identified as many documents as I could. I spent at least 15 additional hours
3 speaking with my attorneys about the case, identifying potential witnesses, providing my
4 attorneys with documents and information concerning the case, and also describing policies,
5 practices, and procedures of Defendant.

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

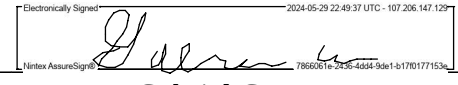
10 6. I believe that I have done everything that my attorneys have asked of me and have
11 tried, to the best of my ability, to represent the class and seek relief for the aggrieved employees
12 and the State of California. I think my efforts helped to get the result obtained in this case, and
13 as a class and PAGA representative, I respectfully request that the Court award me an
14 enhancement award in the amount of \$10,000.00 for my active participation in these cases.
15 Taking into consideration the time that I have dedicated to the cases, I believe that this amount
16 is reasonable.

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

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

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

24 Executed this 05/29/2024
25 Executed this __th day of _____ 2024, at Marysville, California.

26 
27 Gabriel Cuevas
28