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Attorneys for Plaintiffs
HENRY PEREZ, JR., and
HENRY JOHNNY PEREZ III

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – SPRING STREET

HENRY PEREZ, JR., HENRY JOHNNY PEREZ III, 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.

MONRO, INC., an unknown business entity;
MONRO HOLDINGS, LLC, an unknown business entity; MNRO HOLDINGS, LLC, a Delaware limited liability company; and
DOES 1 through 100, inclusive,

Defendants.

Case No.: 21STCV09582

Assigned for all purposes to: Hon. Elihu M. Berle, Dept. 6

**DECLARATION OF HENRY PEREZ, JR.
IN SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: March 4, 2024
Time: 9:00 a.m.
Dept.: 6

Complaint filed: March 11, 2021
Trial: None Set

DECLARATION OF HENRY PEREZ

I, Henry Perez, respectfully declare as follows:

1. I am over 18 years of age and a resident of California. I am one of the Class and PAGA Representatives in the action entitled *Perez, et al. v. Monro, Inc., et al.*, Los Angeles County Superior Court, Case No. Case No. 21STCV09582. I have personal knowledge of the facts stated herein and if called as a witness I could and would competently testify thereto.

2. I was employed by Defendants Monro, Inc. and MNRO Holdings, LLC (collectively “Defendants”) from approximately October 2019 to approximately September 2020. During my employment with Defendants, I was employed as an hourly-paid, non-exempt employee, and was paid an hourly rate for the work I performed.

3. In or about February 2021, I decided to seek legal advice about my experiences working for Defendants and about pursuing my grievances against them. I contacted Class Counsel and spoke with their attorneys. Afterwards, I investigated complex wage-and-hour class actions and actions pursuant to the Private Attorneys General Act of 2004 (“PAGA”) on my own and then reached out to Class Counsel again to discuss my situation, and what it meant to be a named plaintiff and Class and PAGA Representative. I wanted to take steps to make sure that Defendants were held accountable for not compensating their hourly employees for all time worked and failing to comply with California’s wage and hour laws.

4. After speaking with my attorneys and investigating complex wage-and-hour actions and in general, I agreed to serve as a Class Representative and PAGA Representative in the Action.

5. As part of becoming a Class Representative and PAGA Representative, I understood that I had a responsibility to the Class, Aggrieved Employees, and State of California.

6. My duties were explained to me by my attorneys. I understood that in representing the interests of other employees, I must consider their interest above my own interests in the Action. I am not aware of any interests that I have had that are contrary to the interests of the proposed Class Members, and that even if I were able to successfully recover any penalties from the PAGA claims, most of these penalties would be paid to the State. I also do not know of any

1 conflict of interests that would keep me from adequately representing the Class or the Aggrieved
2 Employees.

3 7. I was also aware that becoming a Class Representative and PAGA Representative
4 could involve additional work including searching for documents, my deposition being taken, and
5 that I might have to take time off to participate in the Action. I still agreed to serve as the Class
6 Representative and PAGA Representative in order to help others recover these wages and
7 penalties.

8 8. After agreeing to serve as the Class Representative and PAGA Representative, I
9 spoke with my attorneys extensively. Since my cases were filed, I have spent considerable time
10 meeting with my attorneys regarding the cases and fulfilling my responsibilities as the Class
11 Representative and PAGA Representative which included searching for documents I might have
12 related to the Action, reviewing documents with my attorneys, discussing issues regarding
13 Defendants' policies, practices, and procedures, and providing guidance regarding the duties of
14 other non-exempt employees and generally my employment with Defendants. I also helped my
15 attorneys develop a strategy as to what documents and information to obtain from Defendants. I
16 routinely checked in with my attorneys and their staff to make sure they had all of my most current
17 information and any additional information that I had obtained.

18 9. I wanted to do whatever I could to make sure Defendants paid me and other
19 employees what I believe was owed to us for all the hours we worked and for what I believe were
20 non-compliant meal and rest breaks. I believed that the Action could help not only myself but
21 others who I believe had similar difficulties working for Defendants.

22 10. When I was told I had to provide verified discovery responses for MNRO
23 Holdings, LLC, I spent several hours with my attorneys working on my responses and looking
24 for responsive documents. I provided verified responses to Defendant MNRO Holdings, LLC's
25 Special Interrogatories, Set One; Form Interrogatories – Employment Law, Set One; and Request
26 for Production of Documents, Set One, and provided numerous documents responsive to each
27 Defendant's requests. Then, I clarified my responses by providing verified Supplemental
28

Responses to Defendant MNRO Holdings, LLC's Special Interrogatories, Set One; Form Interrogatories – Employment Law, Set One; and Request for Production of Documents, Set One.

11. As the cases moved forward, I provided substantial information regarding Defendants' policies, practices, and procedures. I had several additional phone calls with my attorneys throughout the Action and attempted to respond promptly whenever Counsel contacted me or needed additional information. I spoke with my attorneys for many hours, including extensively before the mediation and attempted to provide any help I could on the Action. I proactively monitored the status of the cases and reached out to my Counsel regarding ongoing developments.

12. When the Action settled, I reviewed the Settlement Agreement and discussed its terms with my attorneys. When I had additional questions about the Settlement, I contacted my attorneys and reviewed the provisions of the Settlement Agreement where I was unclear. I kept in contact with my attorneys throughout the settlement process and will continue to actively participate in the Action and monitor the Action until it is finalized.

13. I believe I took on a substantial risk in agreeing to serve as the Class Representative and PAGA Representative despite being made aware that there was no certainty regarding the outcome of the Action or how long it would take to recover the wages owed to myself and the other Class Members and Aggrieved Employees.

14. Although I was concerned and afraid about being the representative in these public lawsuits, I decided to put my own interests aside and bring the lawsuits that would be beneficial not just for myself, but for all employees. I have not yet suffered any adverse consequences as a result of these lawsuits, but neither have I received any benefit for representing the Class, the Aggrieved Employees, or for the help I provided my attorneys.

15. I have not entered into any undisclosed settlement agreements, nor have I received any undisclosed compensation in the cases. The only compensation I will receive is whatever amount the Court awards as a Class Representative Service Payment, as well as my share of the settlement fund as a Class Member.

16. Furthermore, as part of the Settlement, I have agreed to a much broader individual release than the more limited release made by other Class Members.

17. I believe that I have done everything that my attorneys have asked of me and have tried to the best of my ability to represent the Class Members, State of California, and Aggrieved Employees. I think my efforts helped to get the results obtained in the Action, and as the Class and PAGA Representative, I respectfully request that the Court award me a Service Payment in the amount of \$7,500.00 for my active participation in the Action. Taking into consideration the time I have dedicated to the litigation, the risks I took in order to recover on behalf of not just myself but others, and the general release I have entered on my own behalf, I believe that this amount is reasonable.

18. I am not related to anyone associated with Lawyers *for* Justice, PC or Protection Law Group, LLP. I have been explained and understand that both Lawyers *for* Justice, PC and Protection Law Group, LLP are my counsel of record. My attorneys explained to me their proposed division attorneys' fees, and I have given written approval for their fee splitting agreement.

19. As part of the Settlement, I understand that the Parties selected ILYM Group, Inc. (“ILYM”) as the neutral third-party Settlement Administrator to provide notice to the Class Members and to distribute the Settlement pursuant to its terms. I have no actual or potential conflicts of interests with ILYM.

20. I understand that the Parties selected the non-profit organization, Legal Services for Children, as the cy pres recipient. I have no actual or potential conflicts of interest with Legal Services for Children.

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

Executed on 5/22/2023

DocuSigned by:

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Henry Perez