

1 RASTEGAR LAW GROUP, APC
Farzad Rastegar (SBN 155555)
2 farzad@rastegarlawgroup.com
Thomas S. Campbell (SBN 199014)
3 tom@rastegarlawgroup.com
22760 Hawthorne Boulevard, Suite 200
4 Torrance, CA 90505
Tel.: (310) 961-9600
5 Fax: (310) 961-9094

6 Attorneys for Plaintiff Pedro Ismael Pedroso,
individually, and on behalf of all others similarly
7 situated

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN DIEGO**

10 PEDRO ISMAEL PEDROSO,
individually, and on behalf of all other
11 similarly situated current and former
employees of Defendants;

12 Plaintiffs,

13 vs.

14 OTAY LANDFILL, INC., a corporation;
REPUBLIC SERVICES ALLIANCE
15 GROUP, INC., a corporation; and DOES
1 through 50, inclusive,

16 Defendants.
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) **CASE NO. 37-2021-00043223-CU-OE-CTL**
) *[Assigned for all purposes to the Hon.*
) *Katherine Bacal, Department C-69]*

) **CLASS ACTION**

) **DECLARATION OF PEDRO ISMAEL**
) **PEDROSO ISO MOTION FOR**
) **PRELIMINARY APPROVAL OF CLASS**
) **ACTION AND PAGA SETTLEMENT**
) **AGREEMENT AND RELEASE OF**
) **CLAIMS**

) **Date: October 27, 2023**
) **Time: 9:00 a.m.**
) **Dept.: C-691**

20 **DECLARATION OF PEDRO ISMAEL PEDROSO**

21 I, PEDRO ISMAEL PEDROSO, declare as follows:

22 1. I am the named Plaintiff and proposed class representative in this lawsuit. I
23 have personal knowledge of the facts set forth in this Declaration and could and would
24 testify competently under oath if called as a witness. I understand that this is a class action
25 lawsuit alleging wage and hour violations under California law that has been filed against
26 Defendants Otay Landfill, Inc. and Republic Services Alliance Group, Inc. ("Defendants")
27 and that this Declaration will be used in connection with this case.

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1 2. The statements made in this declaration are based on my personal knowledge
2 and, if called as a witness, I could and would competently testify thereto under oath.

3 3. I make this declaration in support of the Motion for Preliminary Approval of
4 Joint Stipulation of Class Action Settlement and Release ("Settlement").

5 4. I worked for Defendants at the Otay Landfill from 2017 to 2020, as an hourly,
6 non-exempt "landfill laborer."

7 5. I understand that I am the proposed class representative for my co-workers
8 who worked for Defendants at the Otay Landfill in California. I understand that as a
9 proposed class representative, I have various duties and obligations, such as putting the
10 interests of my co-workers ahead of my personal interests, responding to written discovery,
11 giving my deposition and trial testimony, assisting my attorneys, traveling, and participating
12 in the case when needed.

13 6. To date, I have actively participated in this action by providing documents
14 and answering questions and discussing the case with attorneys.

15 7. I understood since the start of this case that as a class representative in this
16 action, I have a fiduciary duty to the Class. My duties as a class representative were
17 explained to me by my attorneys before the filing of the original Complaint. I understood
18 and accept my fiduciary duties to the Class.

19 8. I understood that in representing the interests of the Class, I must consider
20 their interests above my own interests in this case.

21 9. I understood that I needed to oversee the progress of this case on behalf of the
22 Class, regularly communicate with my attorneys, keep myself updated about the progress of
23 this case, pass on information to and answer questions from class members, if necessary,
24 inform my attorneys of any new developments or information relevant to the lawsuit, and
25 participate in decisions related to the lawsuit.

26 10. I have always been committed to championing the claims and rights of the
27 Class, and will continue to stand up for the best interest of the Class. In acting as a class

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1 representative, I have always acted in the best interest of the Class, and have not placed my
2 own personal interest above the interests of the Class.

3 11. I am familiar with the work done in litigating this lawsuit and kept myself
4 informed about the discovery and settlement negotiations conducted in this case. I actively
5 participated in all stages of the case.

6 12. I believe that the requested Class Representative Enhancement award of
7 \$7,500.00 is fair and reasonable in light of the time I have spent on this case, and the risk I
8 assume in acting as a class representative. In acting as a class representative, I have
9 adequately and fairly represented the Class, and have spent numerous hours working on this
10 lawsuit. Specifically, I have: (1) had numerous meetings with my attorneys, Rastegar Law
11 Group, before, during and after the filing and settlement of this lawsuit; (2) provided my
12 attorneys with information and documentation regarding my wage claims; (3) informed my
13 attorneys of other employees who experienced the same wage and hour violations I did; (4)
14 assisted my attorneys in preparing for the mediation in this action and discussed issues
15 related to the potential settlement of this action; (5) provided information to assist in
16 settlement negotiations; and (7) approved the Settlement that was ultimately achieved. I
17 estimate that the time I spent in this case is over 15 hours.

18 13. I know that by being the named plaintiff in this case, I subjected myself to the
19 possibility that future potential employers may discover that I was the named plaintiff in
20 this case and that it could affect my ability to obtain future employment.

21 14. To my knowledge, I have not suffered any actual injury because I am the
22 named plaintiff in this case.

23 15. I will continue to actively participate in this matter until it is finalized. I will
24 continue to oversee progress of this case on behalf of myself and the other class members
25 by regularly communicating with my attorneys and keeping updated about the progress of
26 the case, to pass on information to and answer questions from class members, to inform my
27 attorneys of any new developments or other information relevant to the suit, and to
28 participate in decisions considering the handling of the suit.

1 16. I believe that the Settlement obtained on behalf of the Class is fair and
2 reasonable in light of the issues presented by this case. I therefore request that the Court
3 grant preliminary approval of the Settlement Agreement.

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

6 Executed on September 28, 2023, at San Diego, California.

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10 Pedro Ismael Pedroso
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1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18
3 years, and not a party to this action. My business address is 22760 Hawthorne Boulevard, Suite
200, Torrance, California 90505.

4 On September 28, 2023, I served the following document or documents:

5 **DECLARATION OF PEDRO ISMAEL PEDROSO ISO MOTION FOR**
6 **PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA**
7 **SETTLEMENT AND RELEASE**

8 ■ **By e-mail or electronic transmission.** I caused the documents to be sent to the person
9 at the e-mail addresses listed below. I did not receive, within a reasonable time after the
10 transmission, any electronic message or other indication that the transmission was
unsuccessful.

11 **Service List**

12 Mishell P. Taylor, Esq. Heidi E. Hegewald, Esq. 13 LITTLER MENDELSON, P.C. 501 W. Broadway, Suite 900 14 San Diego, CA 92101-3577 15 Tel: (619) 232-0441 16 Fax: (619) 232-4302 mtaylor@littler.com hhegewald@littler.com	17 <i>Attorneys for Defendant OTAY LANDFILL, INC.</i>
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18 I declare under penalty of perjury under the laws of the State of California that the above is
19 true and correct.

20 Executed on September 28, 2023, at Torrance, California.

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22 Jessica Moreno
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