

Jonathan M. Genish (State Bar No. 259031)
jgenish@blackstonepc.com
Miriam L. Schimmel (State Bar No. 185089)
mschimmel@blackstonepc.com
Joana Fang (State Bar No. 309623)
jfang@blackstonepc.com
Alexandra Rose (State Bar No. 329407)
arose@blackstonepc.com
BLACKSTONE LAW, APC
8383 Wilshire Boulevard, Suite 745
Beverly Hills, California 90211
Tel: (310) 622-4278 / Fax: (855) 786-6356

Attorneys for Plaintiff Alejandro Valdez

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ALEJANDRO VALDEZ, individually and on
behalf of others similarly situated, and as an
aggrieved employee and Private Attorneys
General,

Plaintiff,

vs.

C.H.I. AUTOMART, INC., a California limited
liability corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 21STCV40168

Honorable Lawrence P. Riff
Department 7

**DECLARATION OF PLAINTIFF
ALEJANDRO VALDEZ IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: December 14, 2023
Time: 10:00 a.m.
Dept.: 7

Complaint Filed: November 1, 2021
FAC Filed: January 20, 2022
Trial Date: None Set

DECLARATION OF ALEJANDRO VALDEZ

I, Alejandro Valdez, declare and state as follows:

1. I am over the age of eighteen (18) and I am a resident of the State of California. I am the named plaintiff 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 Defendant C.H.I. Automart, Inc. ("Defendant") as an hourly-paid, non-exempt Salesperson from February 2020 to April 2021. During my employment, my duties included selling new and used vehicles, providing customer service, taking customers on test drives, making follow-up calls to customers who visited the dealership, and other duties in connection with the sale of vehicles for Defendant.

3. I began to have concerns over Defendant's practices concerning how it paid me and other employees, as well as whether we were being paid as required by California law. I decided to seek legal advice about my experiences working for Defendant and about filing a lawsuit to seek to redress my grievances. I contacted Blackstone Law, APC and spoke with the attorneys there because I wanted to take steps to make sure Defendant was held accountable for not properly compensating its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated class and representative action lawsuits on my own. Thereafter, I further consulted with the attorneys at Blackstone Law, APC about my situation, class actions, representative action lawsuits under the Private Attorneys General Act ("PAGA"), and what it meant to bring a class and PAGA action.

4. Since becoming involved in this matter, I have regularly conferred with my attorneys regarding the case and fulfilling my responsibilities as a class action and PAGA representative, which has included gathering and providing documents concerning my employment with Defendant, reviewing documents with my attorneys and answering their questions, providing information and guidance regarding the duties of other non-exempt or hourly paid 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 current information regarding the claims in this action.

1 5. Throughout my involvement in this case, I was available to answer any questions my
2 attorneys had and was available to speak and meet with my attorneys whenever they needed me. I
3 responded to them as quickly as possible and gave them as much information as I could. I described
4 policies, practices, and procedures of Defendant. I also contacted several potential witnesses and
5 potential class members to provide to my attorneys. In preparing for mediation, I spent time reviewing
6 documents provided by Defendant and discussing them with my lawyers. I attended and participated
7 in the mediation.

8 6. I understood that in the event this matter did not settle and proceeded with trial, I would
9 need to be in court to participate in the trial. I was ready to perform that role, as well as fulfill any
10 responsibilities that are necessary for this lawsuit.

11 7. I know that I took a sizeable risk by bringing and pursuing this lawsuit for several
12 reasons. First, I understood that if I lost, I would potentially have to pay the costs in the lawsuit. I
13 also understood there was a risk of losing my current job and/or income due to the time that I would
14 have to spend fulfilling my responsibilities in this matter, including having to attend the trial, if needed.
15 In contrast, the other employees who will be receiving money from this lawsuit did not have to file a
16 claim or take the risk that I took in bringing this action.

17 8. I have reviewed the settlement agreement, discussed the settlement agreement with my
18 attorneys, and asked them questions before signing it.

19 9. I believe that I have done everything that my attorneys have asked of me and tried, to
20 the best of my ability, to seek relief for the Class, the Aggrieved Employees, and the State of
21 California. In total, I have spent approximately 30 to 35 hours participating in this case as described
22 above. I think my efforts helped to get the result obtained in this case.

23 10. I understand that any resolution of this lawsuit on a class-wide basis is subject to court
24 approval, and any settlement must be designed in the best interest of the class as a whole. I have, at
25 all times throughout the course of this litigation, considered the interests of the Class and put them
26 before my own personal interests.

27 ///

28 ///

1 11. I respectfully request that the Court approve and award me a service payment in the
2 amount of \$5,000.00 for my efforts and active participation in the case and broader release of claims
3 pursuant to California Civil Code section 1542. Taking into consideration the time that I dedicated to
4 this case, I believe that this amount is reasonable.

5 12. Last, I believe that the requested service payment is fair given the risks that I have
6 willingly taken in bringing this case against my former employer. Given the ease of access to
7 information on the internet, as well as the small community within my industry, the risk of stigma and
8 future retaliation against me due to my role in this litigation is very real. I chose to accept that risk
9 that my participation in this lawsuit may negatively affect future employment in this industry, or even
10 other industries that I may choose to pursue.

11 13. I am not related to anyone associated with Blackstone Law, APC.

12 I declare under penalty of perjury under the laws of the State of California that the foregoing
13 is true and correct. Executed on 11/14/2023, at Lancaster, California.

14
15 

16 _____
Alejandro Valdez
17
18
19
20
21
22
23
24
25
26
27
28