

Benjamin H. Haber (SBN 315664)
benjamin.haber@wilshirelawfirm.com
Daniel J. Kramer (SBN 315664)
daniel.kramer@wilshirelawfirm.com
Alan Wilcox (SBN 287476)
Alan.wilcox.wilshirelawfirm.com
Bradford Smith (SBN 345879)
bradford.smith@wilshirelawfirm.com
WILSHIRE LAW FIRM, PLC
3055 Wilshire Blvd., 12th Floor
Los Angeles, California 90010
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA

WILLIAN CHAVARRIA RUIZ, individually,
and on behalf of all others similarly situated,

Plaintiff,

v.

DEL CONTE'S LANDSCAPING, INC., a
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No. RG21113047
Consolidated Case No.: 21CV003134

CLASS & REPRESENTATIVE ACTION

[Assigned for all purposes to: Hon. Michael
Markman, Dept. 23]

**DECLARATION OF PLAINTIFF
WILLIAN CHAVARRIA RUIZ IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

I, Willian Chavarria Ruiz, declare as follows:

1. I have personal knowledge of the facts set forth in this declaration and could and would competently testify to them under oath if called as a witness. I submit this declaration in support of my Motion for Final Approval of Class Action and PAGA Settlement.

Risks, Both Financial and Otherwise, Faced in Bringing the Suit

2. When I decided to become involved in this lawsuit as a class representative on behalf of other employees of and as a private attorney general for the State of California, I understood that I was not only seeking unpaid wages and penalties on behalf of myself, but also for other employees who worked for Defendant, and that by doing so, I would be delaying more immediate recovery available to me through the Labor Commissioner's office.

3. I was also made aware that being a class representative and private attorney general in an action filed on behalf of others would subject me to a stigma that is sometimes associated with those who bring these kinds of lawsuits. I was aware that, as a class representative and private attorney general, I might be responsible for some or all of Defendant's legal costs if the case was not successfully concluded. Moreover, I experienced financial difficulties after termination, including having to borrow money from family to cover rent and medical expenses. I also was unable to find consistent employment until recently. Even with knowledge of these risks, I was willing to go forward and to act on behalf of the other employees and the State of California, but I was nervous about losing and having a judgment filed against me for costs or losing job opportunities in the future.

4. I understood that there were risks involved in class and representative action lawsuits. I understood that the lawsuit could continue for several years and require my services and attention throughout the entire length of the lawsuit. I learned that even if we won at trial, the case could be further delayed by appeals.

Notoriety and Personal Difficulties Encountered

5. As the named plaintiff, I am the face of the litigation. Additionally, the class notice that was mailed in this case was sent to over 386 current and former employees of Defendant. The notice informed all of these employees that I filed a class and representative action against Defendant. Exposing myself to this kind of publicity creates a risk for my future career prospects, since current

1 and former employees of Defendant may move to different companies within the landscaping
2 industry or may know people at other companies within the landscaping industry who may not want
3 to hire someone who sued her employer.

4 **Amount of Time and Effort Spent and Duration of the Litigation**

5 6. I have spent a substantial amount of time and effort on this litigation. My work on
6 this case has included, among other things, gathering and providing my payroll records, discussing
7 potential witnesses, reviewing discovery information and data, and participating in settlement
8 discussions. After mediation, I remained actively involved by reviewing the settlement papers and
9 regularly contacted my counsel for updates. I estimate that since I retained my counsel in April 2021,
10 I have spent approximately 40 hours on the activities described above.

11 **Personal Benefit Received as a Result of the Litigation**

12 7. Absent the requested service payment, the personal benefit I will receive is the same
13 as all other employees. But unlike the other employees, I have signed a general release of Defendant.
14 The other employees are only releasing the wage and hour claims asserted in the lawsuit.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed on 5/30/2025, at Sunnyvale, California.

17 DocuSigned by:
18 *Willian Chavarria Ruiz*
19 9E7604719963467...
20 Willian Chavarria Ruiz
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I, Rebecca Padilla, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is rebecca.padilla@wilshirelawfirm.com.

Mollie M. Burks (SBN 222112)
mburks@grsm.com
 Sat Sang Khalsa (SBN 256130)
skhalsa@grsm.com
 Patrick Crowl (SBN 313735)
pcrowl@grsm.com
{F9490102}.LEGAL@worksite.gordonrees.com
GORDON & REES SCULLY MANSUKHANI
 275 Battery Street, Suite 2000
 San Francisco, California 94111
 Telephone: (415) 986-5900
 Facsimile: (415) 986-8054

(X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

Executed on May 30, 2025, at Los Angeles, California.

1 PROOF OF SERVICE