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10 Attorneys for Plaintiff ERICK TORRES,
on behalf of himself and all others similarly situated

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12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF SAN BERNARDINO**

14 ERICK TORRES, on behalf of himself and all
15 others similarly situated,

16 Plaintiff,

17 v.

18 BECHTEL INFRASTRUCTURE AND
POWER CONSTRUCTION SERVICES, INC.,
a Delaware corporation, and DOES 1-50,
19 inclusive,

20 Defendants.

Case No. CIVSB2134046

Assigned for All Purposes To:
Hon. Christian Towns
Dept.: S-26

**DECLARATION OF ERICK TORRES IN
SUPPORT OF PLAINTIFF'S MOTION FOR
APPROVAL OF SETTLEMENT PURSUANT
TO THE LABOR CODE PRIVATE
ATTORNEYS GENERAL ACT OF 2004
(LAB. CODE §§ 2698 ET SEQ.)**

Date: March 19, 2025
Time: 8:30 a.m.
Dept.: S-26

Complaint Filed: November 23, 2021
CMC: January 6, 2025
Trial: Not Set

DECLARATION OF ERICK TORRES

I, Erick Torres, declare as follows:

1. I am the named plaintiff in this action. I have personal knowledge of all the facts in this declaration and, if asked, I would testify to these facts under oath in court.

2. I submit this declaration in support of the Motion for Approval of Settlement Pursuant to the Labor Code Private Attorneys General Act of 2004 (Lab. Code §§ 2698 et seq.).

3. I worked as a non-exempt employee for the Defendant Bechtel Infrastructure and Power Construction Services, Inc., (“Defendant”) in Chino, California, from approximately April 23, 2018, through May 28, 2021. I was paid on an hourly basis. At all times, I worked as a Tower Technician, providing technician services at various locations throughout the State of California, while based out of Defendant’s Chino facility.

4. I decided to file this lawsuit because I had a number of grievances against Defendant stemming from their labor policies and practices. These grievances are set forth in detail in the operative Complaint and my letter to California Labor and Workforce Development Agency (“LWDA”).

5. Prior to filing the action, my attorneys and their staff and I had multiple conferences about the factual bases for the claims that I wanted to pursue against Defendant. Without waiving any privilege, during those conferences, my attorneys provided me with an overview of how those claims would be litigated and generally educated me about the nature of complex/representative litigation and my role as the representative Plaintiff. After meeting with my attorneys about these issues, I decided to proceed with a lawsuit against my former employer. While I originally filed a class action against Defendant, I understand that I was unable to proceed with the class action because Defendant maintained that I signed an enforceable arbitration agreement.

6. I understand that I filed this lawsuit against my former employer on behalf of the state of California to obtain penalties for Defendant’s violations. I also filed and participated in a companion arbitration to push forward the claims that I asserted.

7. I have worked to the best of my ability to prosecute this action on behalf of the LWDA, always considering the interests of the LWDA just as I would consider my own interests.

1 I believe these types of actions are an important tool to ensure compliance with the Labor Code and
2 protect the rights of workers.

3 8. When I agreed to represent the State (LWDA), I understood it was my duty to be
4 readily available and to participate actively in the case. I knew that I needed to keep aware of the
5 status and progress of the lawsuit and assist my attorneys in litigating the case on behalf of the State
6 and the Aggrieved Employees. I knew that I would be required to review documents, search for
7 documents and produce them to my attorneys, answer written questions, potentially answer oral
8 questions and testify truthfully under oath, and be available to appear in court, if necessary. At all
9 times, I have worked to fulfill these duties.

10 9. I am requesting the Court approve a \$2,500 Representative Service Payment to
11 myself in connection with the settlement. I believe the amount of the Representative Service
12 Payment is very reasonable considering the financial and professional risks I took by bringing a
13 PAGA lawsuit against my former employer, including the potential of paying court-awarded
14 litigation costs to Defendant and the negative exposure to future employers. I further believe this
15 amount is reasonable considering the amount of work and time I spent with my attorneys to achieve
16 this excellent settlement on behalf of the State. I spent numerous hours working with my attorneys
17 on this case including searching for relevant documents and witnesses, reviewing documents,
18 conferences with my counsel about strategy and the facts of my case, and making myself available
19 to answer questions during a full day mediation. The time and service I provided to the Aggrieved
20 Employees resulted in the parties agreeing to settle the case and a positive outcome for all of the
21 Aggrieved Employees, and as a result each Aggrieved Employee will receive a proportional share
22 of the settlement funds in this case.

23 10. In connection with the litigation of the case that I brought, I estimate that I have
24 spent over 30-40 hours assisting my attorneys and their staff, and advancing the case and the
25 interests of the State and the Aggrieved Employees. I have spent hours on telephone calls
26 discussing the facts of my case with my attorneys and their staff. Without waiving any attorney-
27 client privilege, I spent hours discussing the facts related to my employment with Defendant,
28 including discussing my job duties and responsibilities, and the hours and days I worked. I also

1 spent hours looking through files for all documents related to my employment with Defendant and
2 sending them to my attorneys, which included wage statements, policy documents, time records,
3 relevant communications, and separation paperwork. I further spent several hours on telephone
4 calls discussing the documents I provided to my attorneys. I also spent a number of hours assisting
5 my attorneys with preparing for mediation and participating during mediation to answer questions
6 as necessary. In addition, I have spent time reviewing the memorandum of understanding and the
7 settlement agreement, as well as settlement documentation, including this declaration. I have also
8 ensured that I was in constant communication with my attorneys regarding the status of this case
9 and the approval process.

10 11. As I have been since the beginning of this case in November 2021, I am committed
11 to this case and intend to continue to participate as needed until the conclusion of this matter for
12 the benefit of the Aggrieved Employees.

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

15 Executed on 12/09/24 in Los Angeles, California.

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Erick Torres (Dec 9, 2024 17:03 PST)

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