

LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203

Edwin Aiwazian (Cal. State Bar No. 232943)
edwin@calljustice.com
Arby Aiwazian (Cal. State Bar No. 269827)
arby@calljustice.com
Joanna Ghosh (Cal. State Bar No. 272479)
joanna@calljustice.com
Ovsanna Takvoryan (Cal. State Bar No. 217435)
ovsanna@calljustice.com
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203
Telephone: (818) 265-1020
Facsimile: (818) 265-1021

Attorneys for Plaintiff Edgar Mariscal

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

EDGAR MARISCAL, individually,
and on behalf of other members of the
general public similarly situated,

Plaintiffs,

v.

ARIZONA TILE, LLC, an unknown
business entity; and DOES 1 through
100, inclusive,

Defendants.

Case No.: 8:20-CV-02071-JLS-KES

Honorable Josephine L. Staton

CLASS ACTION

**DECLARATION OF EDGAR
MARISCAL IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

[Filed concurrently with Notice of Motion
and Motion for Preliminary Approval of
Class Action and PAGA Settlement;
Declaration of Proposed Class Counsel
(Edwin Aiwazian); and [Proposed] Order]

Date: June 17, 2022

Time: 10:30 a.m.

Courtroom: 10A

Complaint Filed: September 15, 2020

FAC Filed: May 28, 2021

Trial Date: None Set

DECLARATION OF EDGAR MARISCAL

I, **Edgar Mariscal**, hereby declare as follows:

1. I am over 18 years of age and a resident 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 Arizona Tile, LLC (“Arizona Tile”) as an hourly-paid, non-exempt employee from approximately February 2013 to July 2018. I decided to seek legal advice about my work experiences with Arizona Tile and about pursuing my grievances. I contacted Lawyers for Justice, PC and spoke with attorneys there, including Arby Aiwazian. I wanted to do whatever I could to make sure Arizona Tile paid me and other employees what was owed to us and stopped its practice of not properly compensating its employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour and class action lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 6 hours. Thereafter, I consulted with the attorneys at Lawyers for Justice, PC for 5 hours discussing my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act (“PAGA”) in general, and what it meant to be a named plaintiff and class representative.

3. I have spent over 17 hours communicating with my attorneys regarding the case and fulfilling my responsibilities as a class representative, which included gathering documents concerning my employment with Arizona Tile, reviewing documents with my attorneys and answering their questions and providing guidance regarding the duties of hourly-paid and non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Arizona Tile. I routinely checked in with my attorneys and their

1 staff to make sure that they had all of my most current information and any
2 additional information that I had obtained.

3 4. Throughout the case, I was available to answer any questions my
4 attorneys had, and available to speak and meet with my attorneys whenever they
5 needed me. I responded to them as quickly as possible and gave them as much
6 information and identified as many documents as I could. I spent at least 14
7 additional hours speaking with my attorneys about the case, identifying potential
8 witnesses, providing my attorneys with documents and information concerning the
9 case, and also describing policies, practices, and procedures of Arizona Tile.
10 During the discovery phase of the litigation, I spent approximately 4 additional
11 hours reviewing Arizona Tile's discovery requests, locating documents, and
12 providing documents and responses to my attorneys.

13 5. As far as the settlement is concerned, I was available to review
14 documents and answer any questions my attorneys had. I spent about 2 hours
15 reviewing the settlement agreement and about 2 hours asking questions and
16 discussing the potential settlement with my attorneys before signing the settlement
17 agreement.

18 6. I believe that I have done everything that my attorneys have asked of
19 me and have tried, to the best of my ability, to represent the class and seek relief
20 for the aggrieved employees and the State of California. I think my efforts helped
21 to get the results obtained in this case, and as a class and PAGA representative, I
22 respectfully request that the Court award me a Class Representative Service Award
23 in the amount of \$7,500.00 for my active participation in this case. Taking into
24 consideration the time that I have dedicated to this case, I believe that this amount
25 is reasonable.

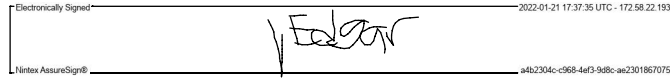
26 7. I am not related to anyone associated with Lawyers for Justice, PC.

27 8. I have not entered into any undisclosed agreements, nor have I
28 received any undisclosed compensation in this case. The only compensation I will

1 receive is whatever amount the Court awards as a service award, as well as my
2 share of the settlement fund as a class member and as an aggrieved employee.

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

5 Executed on this ____ day of January 2022, at Anaheim, California.
6 01/21/2022

7  2022-01-21 17:37:35 UTC - 172.58.22.193
8 Nintex AssureSign® a4b2304c-c968-4ef3-9d8c-ae2301867076

9 Edgar Mariscal

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
LAWYERS for JUSTICE, PC
410 West Arden Avenue, Suite 203
Glendale, California 91203