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individually, and on behalf of others
similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ALMA RODRIGUEZ, individually, and on
behalf of others similarly situated,

Plaintiff,

vs.

MERCHANTS BUILDING
MAINTENANCE, LLC, a California
limited liability company; and DOES 1
through 50, inclusive,

Defendants.

Case No. 21STCV46004

[Assigned for all purposes to the Hon. Elihu
M. Berle, Dept. 6]

**DECLARATION OF PLAINTIFF
ALMA RODRIGUEZ IN SUPPORT OF
PLAINTIFF'S MOTION FOR
APPROVAL OF PAGA SETTLEMENT**

[Filed concurrently with Plaintiff's Notice of
Motion and Motion for Approval of PAGA
Settlement; Declaration of Dalia Khalili; and
[Proposed] Final Order and Judgment]

Complaint Filed: December 17, 2021
Trial Date: None Set

DECLARATION OF ALMA RODRIGUEZ

1 I, Alma Rodriguez, hereby declare as follows:

2 1. I am the named plaintiff in the above-entitled action, *Alma Rodriguez v. Merchants*
3 *Building Maintenance, LLC* Los Angeles County Superior Court Case No. 21STCV46004. I
4 make this declaration on the basis of personal firsthand knowledge, except as to those matters
5 stated on information and belief. If called as a witness, I could and would readily and
6 competently testify to all matters stated within.

7 2. I make this declaration in support of Plaintiff's Motion for Approval of PAGA
8 Settlement.

9 3. I worked for defendant Merchants Building Maintenance, LLC ("Defendant")
10 from July 9, 2018 to October 15, 2018, and again from December 14, 2018 to May 20, 2021 as a
11 janitor at the Brea Center in Brea, California.

12 4. I brought this action as a private attorney general under the California Labor Code
13 Private Attorneys General Act of 2004 ("PAGA"). I have acted as a representative of the state on
14 behalf of other aggrieved employees of Defendant.

15 5. I have spent approximately 60 hours on the case, including but not limited to
16 intake and sign up interviews, meetings with my attorneys, responding to Defendant's written
17 discovery requests, producing relevant documents and information, preparing for my deposition,
18 traveling to and attending two days of deposition, reviewing my deposition transcripts, producing
19 relevant documents and information, responding to questions from my attorneys in preparation
20 for mediation, participating in settlement negotiations, and reviewing the settlement agreement.

21 6. I fully realized the risks I would be taking by pursuing this action as a PAGA
22 representative. I knew that my future employer might conduct a background check on me or
23 otherwise find out about my participation in the lawsuit against a previous employer and might
24 retaliate against me as a result. I also knew that I could have been liable for Defendant's
25 litigation costs if the case went to trial and I lost. I also knew that as a PAGA representative, I
26 would be bearing risks that other aggrieved employees would not be facing.

27 7. I also knew that I placed myself at a substantial risk because if Defendant was to
28 prevail in this action, I could have been liable for Defendant's litigation costs. Yet I felt so

1 strongly about standing up for the rights of Defendant's employees that I initiated and
2 participated fully in this lawsuit.

3 8. From the time I became a PAGA representative in this litigation, I took an active
4 role in participating in decisions concerning the case, including settlement. I maintained regular
5 contact with my attorneys, via phone and in person, to give them additional information and to
6 keep myself informed of the developments in the case. I made sure that I understood everything
7 that was going on in the case so I could make the best-informed decisions on behalf of the other
8 aggrieved employees.

9 9. As part of the settlement, I am releasing my individual wage and hour claims
10 against Defendant and waiving my rights under Civil Code § 1542 as to any and all claims against
11 Defendant. I believe that I should receive an enhancement award, in part, because this is a more
12 comprehensive release than the release that is applicable to the other aggrieved employees.

13 10. I believe that the requested \$10,000.00 incentive payment for serving as a PAGA
14 representative is reasonable given the substantial time and effort I have expended on behalf of the
15 other aggrieved employees and the risks I faced in serving as a named plaintiff. Based on my
16 information and belief, approximately 5,800 aggrieved employees will be able to recover
17 payment for the alleged wage and hour violations. Because I put myself on the line, each
18 aggrieved employee did not have to expend his or her own time and resources to pursue legal
19 remedies individually. This action would not have been possible without my active participation
20 and my willingness to place myself at risk for the sake of the other aggrieved employees.

21 11. I know that without my efforts, this lawsuit would not have been brought on behalf
22 of the aggrieved employees of Defendant. Throughout the entire litigation, I did the best that I
23 could to represent the other aggrieved employees and to look out for their interests.

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

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Executed on _____ at _____, California.

Alma Rodriguez