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Attorneys for Plaintiff ARNOLD SERRANO
 individually and on behalf of similarly situated employees

SUPERIOR COURT OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

ARNOLD SERRANO, individually and on
 behalf of all other similarly situated
 employees,

Plaintiff,

vs.

COOL TIME, LLC, a California Corporation;
 and DOES 1 to 100, inclusive,

Defendants.

Case No. 34-2021-00312356

*Assigned for All Purposes to Hon. Lauri A. Damrell,
 Department 28*

CLASS ACTION

**DECLARATION OF PLAINTIFF ARNOLD
 SERRANO IN SUPPORT OF MOTION FOR
 FINAL APPROVAL OF CLASS ACTION AND
 PAGA SETTLEMENT**

Date: August 4, 2023

Time: 9:00 a.m.

Dept.: 28

Judge: Hon. Lauri A. Damrell

Filed: December 8, 2021

FAC Filed: February 10, 2022

Trial Date: None Set

1 I, Arnold Serrano, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this
3 declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in support
4 of Plaintiff's Motion for Final Approval of Class Action and PAGA Settlement.

5 2. I worked for Defendant Cool Time, LLC ("Defendant") from approximately August 1,
6 2020, to August 13, 2021, as a non-exempt employee. I was subject to all of Defendant's policies and
7 practices that have been alleged as unlawful in the Complaint and the notice sent to the Labor and
8 Workforce Development Agency, including the following: failure to pay overtime, failure to pay
9 minimum wages, failure to provide accurate wage statements, failure to timely pay final wages, failure
10 to provide meal and rest periods or pay premiums in lieu thereof, and failure to reimburse expenses.

11 3. I have actively participated in the litigation of this case for the benefit of all Class
12 Members. Prior to obtaining an attorney, I researched attorneys and called several offices trying to find
13 a quality attorney to handle the claims. I gathered documents and all the information I could in order to
14 have an informed discussion with the attorneys about the claims and make sure they understood what
15 the claims were about. After securing Shimoda & Rodriguez Law, PC, I continued to be actively
16 involved in the case to help ensure a positive outcome.

17 4. My attorneys explained to me the risks and benefits of bringing a class action and a
18 claim under the Private Attorneys General Act ("PAGA"). I understood that pursuing the case as a
19 class and PAGA action meant that it would take substantially longer than pursuing my claims
20 individually, whether in Court or with the California Labor Commissioner, and that I risked getting
21 nothing in the end, but I believed it was important to make sure that Defendant followed the law for
22 everyone. I understood that I took on the risk, both professionally and financially, in pursuing the case
23 as a class and PAGA action rather than pursuing my claims individually. As a Class Representative, I
24 also took on the risk of having to pay Defendant's costs if we were unsuccessful in bringing our claims.

25 5. During the course of this litigation, I have given detailed accounts of all the facts related
26 to my employment. I provided my attorneys with extensive documentation that I believe supported the
27 claims brought against Defendant, including emails, employer policies, and approximately 374 text
28 messages with my managers and supervisors that addressed issues raised in the litigation. I also

1 provided witness information, so they could obtain declarations to help vet the claims. I met with and
2 assisted my attorneys in understanding these documents and providing context for Defendant's payroll
3 process as it applied to me and how I believed it applied to Defendant's other employees. I worked at
4 multiple job sites during my employment, so I was able to discuss the similarities of the wage and hour
5 policies and practices among all Class Members.

6 6. The work I performed for this case included an extensive review of documents and
7 payroll practices to show and explain to my attorneys what was happening and why I thought it was
8 unlawful. For example, one of the allegations we made was that there was a significant amount of time
9 spent on “on call” assignments and off -the-clock work during weekdays and weekends that Defendant
10 assigned to me and Class Members. I spent time explaining the assignments, how those assignments
11 compared to the written policies and practices Defendant maintained and walked through numerous
12 examples and comparison of time records, corresponding paystubs, and text messages covering the
13 same period to reconstruct the pay practices at issue in this case. This became more intense and
14 involved as we had to address the arguments and factual assertions that Defendant and its counsel were
15 making in response to our allegations. I believe the review helped show where there was (or was not)
16 consistency between Defendant’s stated policies, practices, and our claims. This was very important as
17 it helped not only the claims of failure to pay overtime, failure to pay minimum wages, and failure to
18 reimburse expenses claims, but also claims related to meal and rest breaks, waiting time penalties,
19 failure to provide accurate wage statements, and derivative PAGA claims. I also spent time identifying
20 and speaking to potential witnesses who could speak to my attorneys to give their own insights and
21 provide declarations. Ultimately, I was able to find one person who agreed to be contacted by my
22 attorneys. Overall, I have spent numerous hours of my time assisting in the prosecution of this case. I
23 estimate that I spent about 70 to 80 hours assisting with this case.

24 7. I participated in the negotiations and settlement discussions in this case, speaking with
25 my attorneys to answer questions, provide any additional information needed to assist the negotiations,
26 and discussing the potential terms of the Agreement to evaluate its adequacy. The negotiations took
27 place over an extended period of time and always included further review of the facts and documents to
28 counter something Defendant was asserting. Throughout the course of this litigation I have asked

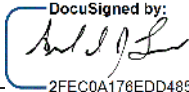
1 questions when I needed clarification about various aspects of this case to make sure there were
2 continually steps taken to advance the interests of Class Members..

3 8. I have not received any benefits as a result of filing this lawsuit. I have, however,
4 experienced substantial burdens as a result of filing the lawsuit that other Class Members were not
5 subject to. For example, in bringing the lawsuit, I assumed the risk of having to pay Defendant's costs
6 if the Court or jury rules against us on the claims. My understanding is that this is a substantial risk
7 because the costs associated with litigation, in general, are very high and this cost is multiplied many
8 times over in complex litigation like class actions. I have spent a substantial amount of time in this
9 case, securing a monetary benefit for many individuals who have not had to do anything whatsoever to
10 have the opportunity to receive it. Additionally, I am providing a broader release of all claims than
11 Class Members that goes beyond just the wage and hour claims asserted in the lawsuit. I have been
12 employed full time during the majority of the time this case has been pending. As a result, the time I
13 have spent on this case has to occur during my lunch and/or breaks times, after hours, and on my days
14 off. This is particularly challenging because I have children who participate in sports after their school
15 and I had to drive them to practice while at the same time working in assisting my attorneys in this
16 case. Rather than spend this time with friends and family, I have spent this time for the benefit of Class
17 Members. Also, I have experienced a lot of stress as a result of this litigation.

18 9. I have reviewed the final Joint Stipulation of Class Action and PAGA Settlement and
19 Release, discussed the terms with my attorney, and asked my attorney any questions I had. I believe
20 the terms of the Settlement and allocations are fair and reasonable given the facts of the case.

21 10. I understand that any Class Representative Enhancement Payment I may receive is for
22 my participation as a Class Representative and it is not contingent on my support or approval of the
23 Agreement.

24 I declare under penalty of perjury under the laws of the State of California that the foregoing is
25 true and correct. Executed on 7/10/2023 in Yuba city, California.

26 
27 _____
28 Arnold Serrano