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Attorneys for Plaintiff MARCELINO ORTUNO, Individually, and on behalf of other members of the general public similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF SAN DIEGO**

MARCELINO ORTUNO, Individually, and  
on behalf of other members of the general  
public similarly situated,

Plaintiff

v.

THE HERTZ CORPORATION, a Delaware  
Corporation; DTG OPERATIONS, INC., an  
Oklahoma Corporation; and DOES 1-10,  
inclusive.

Defendants

CASE NO. 37-2022-00006731-CU-OE-CTL

CLASS ACTION

**DECLARATION OF MARCELINO  
ORTUNO IN SUPPORT OF PLAINTIFF'S  
UNOPPOSED MOTION FOR FINAL  
APPROVAL OF (1) CLASS ACTION  
SETTLEMENT; (2) ATTORNEYS' FEES  
AND COSTS; and (3) CLASS  
REPRESENTATIVE AWARD**

Judge: Hon. Carolyn Caietti  
Dept.: C-70

I, Marcelino Ortuno, hereby declare as follows:

1. I am the named Plaintiff in the above-captioned matter. I make this declaration in support of Plaintiff's Unopposed Motion for Final Approval of Class Action Settlement, Attorneys Fees and Costs, and Class Representative Award.
2. I am personally familiar with the facts set forth in this declaration, and if called to testify as a witness I could and would do so.
3. To my recollection, I personally met with my Attorneys on at least 15 occasions. Several of those meetings lasted in excess of 2 hours.
4. During these meetings, I would review and explain numerous documents turned over by Defendants from my employment. I would also explain my (as well as others') role during work. I also helped identify numerous other employees who could support the claims I was making in this lawsuit. I contacted many of these individuals myself to verify their willingness to participate.
5. I also spoke with my attorneys on the phone on at least 27 other occasions.
6. I sat for a full 1 days of deposition in this case. In preparation for these depositions, I spent several hours preparing with my attorneys. I also spent significant time reviewing the settlement documentation and discussing the settlement with my attorneys.
7. In total, I estimate that I spent at least 80 hours related to the above mentioned tasks directly working with my attorneys. I also spent at least another 8-10 hours of my own time gathering evidence and outlining issues that I later shared with my attorneys.
8. When I decided to move forward with this case, I was counseled by my attorneys of the potential stigma of being a Class Representative in a class action dispute, as this is a publicly filed lawsuit.
9. I was also advised when I brought this case that had we lost, I could have been personally liable for paying all of Defendants' costs. I was further advised this could be well into the tens of thousands of dollars on this type of case.

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10. Despite these risks I was committed to achieving a settlement that would benefit all employees working for DTG and Hertz.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 11th day of March, 2025 at San Diego, California.

DocuSigned by:  
  
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Marcelino Ortuno