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10 *Attorneys for Plaintiffs*

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

12 **COUNTY OF SAN DIEGO**

13 IVAN MARQUEZ, individually and on behalf
14 of others similarly situated and as an
15 aggrieved employee and Private Attorney
16 General; FERNANDO SALGUERO,
17 individually and on behalf of others similarly
18 situated, and as an aggrieved employee and
19 Private Attorney General,

20 Plaintiffs,

21 vs.

22 COLLABERA, INC. a New Jersey
23 corporation; and DOES 1 through 50,
24 inclusive,

25 Defendant.

Case No. 37-2022-00010988-CU-OE-CTL

*Assigned for All Purposes to: Hon. Loren G.
Freestone, Dept. C-64*

**DECLARATION OF PLAINTIFF IVAN
MARQUEZ IN SUPPORT OF MOTION
FOR FINAL APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Hearing Date: May 19, 2023

Hearing Time: 10:30 a.m.

Dept.: C-64

Complaint Filed: March 22, 2022

Trial Date: None Set

DECLARATION OF IVAN MARQUEZ

I, IVAN MARQUEZ, declare as follows:

1. I am the Plaintiff in this action. I have personal knowledge of the following. If called as a witness, based on my personal knowledge as well as my review of relevant documents in this matter, I could and would competently testify thereto.

2. I was an employee of Collabera, Inc. ("Defendant") and was employed by Collabera as a Network Engineer. During my employment, I was classified as a non-exempt employee and was paid on an hourly basis.

3. In or about February 2022, I decided to seek legal advice about my experiences working for Defendant and about pursuing my grievances against it.

4. After speaking with my attorneys at Protection Law Group, I agreed to serve as a class representative and PAGA representative. I was aware that becoming a class and PAGA representative could involve additional work including searching for documents, my deposition being taken, and that I might have to take time off to participate in the case. I still agreed to serve as a class and PAGA representative in order to help others recover these wages and penalties.

5. I discussed issues regarding Defendant's policies, practices, and procedures, and generally my employment with Defendant with my attorneys and at my counsel's request, I searched for documents I might have related to this case. I sent these documents to my attorneys in order to help with the prosecution of the case.

6. I wanted to do whatever I could to make sure Defendant paid me and other employees what I believe was owed to us for all the hours we worked and for what I believe were non-compliant meal and rest breaks. I believed that this lawsuit could help not only myself but others who I believe had similar difficulties working for Defendant.

7. As the case moved forward, I provided substantial information regarding Defendant's policies, practices, and procedures. I had several additional phone calls with my attorneys throughout the case and attempted to respond promptly whenever counsel contacted me or needed additional information. I spoke with my attorneys extensively and attempted to

1 provide any help I could on the case. I proactively monitored the status of the case and reached
2 out to my counsel regarding ongoing developments.

3 8. When the case settled, I reviewed the Settlement Agreement and discussed its
4 terms with my attorneys. When I had additional questions about the settlement, I contacted my
5 attorneys and reviewed the provisions of the Agreement where I was unclear.

6 9. I kept in contact with my attorneys throughout the settlement process and
7 provided additional information when Class Counsel reached out to me.

8 10. I believe I took on a substantial risk in agreeing to serve as the class and PAGA
9 representative despite being made aware that there was no certainty regarding the outcome of the
10 case or how long it would take to recover the wages owed to myself and the other class members.

11 11. I fully understand the substantial risk I faced in serving as a class and PAGA
12 representative including that doing so could make the case more complex, that the lawsuit was
13 public, could be found by future employers, and could affect my future employment
14 opportunities. I was concerned and remain concerned that my participation in this lawsuit may
15 impact my future employment. Despite these risks and concerns, I decided to put my own interest
16 aside and bring forth a lawsuit that would be beneficial not just for myself, but for all other
17 employees to receive what they were owed.

18 12. Since joining this lawsuit, I have considered the interests of the Class Members
19 and Aggrieved Employees just as I would consider my own interests. I understand and have
20 understood throughout the lawsuit that I must put the interests of the Class Members and
21 Aggrieved Employees before my own interests. Although I was concerned and afraid about being
22 the class and PAGA representative in this public lawsuit, I decided to put my own interests aside
23 and bring a lawsuit that would be beneficial not just for myself, but for all employees. I have not
24 yet suffered any adverse consequences as a result of this lawsuit, but neither have I received any
25 benefit for representing the Class or for the help I provided my attorneys.

26 13. Furthermore, as part of the Settlement, I have agreed to a much broader individual
27 release than that agreed to by the rest of the Class.
28

1 14. I believe that I have done everything that my attorneys have asked of me and have
2 tried, to the best of my ability, to represent and seek relief on behalf of the class. I believe my
3 efforts as a class and PAGA representative helped to achieve the result obtained in this case.

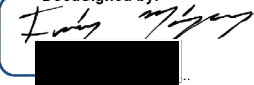
4 15. Accordingly, I respectfully request that the Court award me a Class
5 Representative Service Payment in the amount of \$7,500.00 for my active participation in this
6 case, the risks I took in order to recover on behalf of not just myself but others, and the general
7 release I have entered on my own behalf.

8 16. I am not related to anyone associated with Protection Law Group, LLP.

9 17. I have not entered into any undisclosed agreements, nor have I received any
10 undisclosed compensation in this case. The only compensation I will receive is whatever amount
11 the Court awards as a service award, as well as my share of the settlement as a class member and
12 as an aggrieved employee.

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

15 Executed on 4/18/2023 _____.

DocuSigned by:

[REDACTED]

IVAN MARQUEZ