

HEATHER DAVIS, SBN 239372
heather@protectionlawgroup.com
AMIR NAYEBDADASH, SBN 232204
amir@protectionlawgroup.com
PROTECTION LAW GROUP, LLP
237 California Street
El Segundo, California 90245
Telephone: (424) 290-3095
Facsimile: (866) 264-7880

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

IVAN MARQUEZ, individually and on behalf
of others similarly situated and as an
aggrieved employee and Private Attorney
General; FERNANDO SALGUERO,
individually and on behalf of others similarly
situated, and as an aggrieved employee and
Private Attorney General,

Plaintiffs,

vs.

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

Defendant.

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

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

**DECLARATION OF PLAINTIFF
FERNANDO SALGUERO 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

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

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.

3. In or about March 2020, I decided to seek legal advice about my experiences working for Defendant and about pursuing my grievances against it.

5. When my attorneys informed me that another individual had brought a class and representative Action against Defendant I agreed to join this Action and serve as a class and PAGA Representative.

6. Throughout my involvement in both this action and the *Salguero* Action I have attempted to provide information and documents that would help my attorneys recover on behalf of not just myself but other employees who worked for Defendant. I discussed issues regarding Defendant's policies, 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.

1 7. I wanted to do whatever I could to help recover for myself and other employees
2 for what I believe were non-compliant meal and rest breaks amongst other alleged violations. I
3 believed that this lawsuit could help not only myself but others who I believe had similar
4 difficulties working for Defendant.

5 8. Throughout my involvement in these matters, I have provided substantial
6 information regarding Defendant's policies, practices, and procedures. I had several additional
7 phone calls with my attorneys throughout the case and attempted to respond promptly whenever
8 counsel contacted me or needed additional information. I spoke with my attorneys extensively
9 and attempted to provide any help I could on the case. I proactively monitored the status of the
10 case and reached out to my counsel regarding ongoing developments.

11 9. When the matter settled, I reviewed the Settlement Agreement and discussed its
12 terms with my attorneys. When I had additional questions about the settlement, I contacted my
13 attorneys and reviewed the provisions of the Agreement where I was unclear.

14 10. I kept in contact with my attorneys throughout the settlement process and
15 provided additional information when Class Counsel reached out to me.

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

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

26 13. Since joining this lawsuit, I have considered the interests of the Class Members
27 and Aggrieved Employees just as I would consider my own interests. I understand and have
28 understood throughout the lawsuit that I must put the interests of the Class Members and

1 Aggrieved Employees before my own interests. Although I was concerned and afraid about being
2 the class and PAGA representative in this public lawsuit, I decided to put my own interests aside
3 and bring a lawsuit that would be beneficial not just for myself, but for all employees. I have not
4 yet suffered any adverse consequences as a result of this lawsuit, but neither have I received any
5 benefit for representing the Class or for the help I provided my attorneys.

6 14. Furthermore, as part of the Settlement, I have agreed to a much broader individual
7 release than that agreed to by the rest of the Class.

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

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

15 17. I am not related to anyone associated with Protection Law Group, LLP.

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

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

22 Executed on 4/12/2023.

DocuSigned by:


23
24 FERNANDO SALGUERO