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Attorneys for Plaintiff and all aggrieved employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

WALTER PORTILLO, an individual, on
behalf of the State of California, as a private
attorney general,

PLAINTIFF,

v.

FOX RENT A CAR, INC.; and DOES 1 thru
50, inclusive,

DEFENDANTS.

CASE NO. 22STCV19855

[Case Assigned for All Purposes to Hon. Judge
Wendy Chang in Dept. 36]

**DECLARATION OF WALTER
PORTILLO IN SUPPORT OF FINAL
APPROVAL OF CLASS SETTLEMENT**

Date: March 21, 2024
Time: 8:30 A.M.
Dept.: 36

Complaint Filed: June 17, 2022
Trial Date: August 9, 2024

Reservation No. 359040195386

DECLARATION OF WALTER PORTILLO

I, Walter Portillo, state and declare as follows:

1. I am a competent adult, over the age of eighteen, and the named Plaintiff in the matter of WALTER PORTILLO, an individual, on behalf of the State of California, as a private attorney general, v. FOX RENT A CAR, INC., and DOES 1 thru 50, inclusive, Los Angeles County Superior Court, Case No. 22STCV19855. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto. I am making this sworn declaration in support of my claim and the claims of my co-workers, and in support of my qualifications as the named Plaintiff. If called as a witness, I could and would competently testify as to the truth of the matters set forth herein.

2. I worked as an employee of Defendant Fox Rent A Car, Inc. ("Fox Rent A Car" or "Defendant").

3. As an employee of Defendant, I contend that I regularly failed to receive all wages and/or overtime, routinely working "off the clock" without pay. Also, based on my heavy workload, I regularly did not receive thirty (30) minute uninterrupted meal periods within the first five (5) hours of my shift when working five hours or more. I regularly did not receive rest breaks of ten (10) minutes per four (4) hour work periods of working. Furthermore, I believe that I was not properly reimbursed for the cost of using my personal cell phone for business related purposes. Further, I was not issued accurate and complete wage statements reflecting total hours worked, meal period and rest period premiums, and sick leave. I was not timely issued all wages for a biweekly payroll period. Lastly, I believe that I was not paid all wages at the time of termination.

4. I have spent significant time throughout this class action working with Class Counsel. Before filing this action on June 17, 2022, in March and April of 2022, I researched and identified Counsel that I believed had extensive experience with these types of employment claims and could best represent the interests of the aggrieved employees. I also assisted the attorneys with investigation and gathering of information including discussing my work experience and the experience of others that I had observed while working for Parkway and provided all relevant

1 employment documents in my possession. In addition, I made myself available to attend a full-day
2 remote mediation on August 18, 2023. In connection with the mediation, I participated in
3 discussions with PAGA Counsel and shared my knowledge and insights in order to help obtain a
4 favorable settlement.

5 5. Throughout the entirety of this litigation, I have maintained regular contact with
6 PAGA Counsel and assisted in any way possible providing information and making myself
7 available as needed.

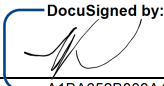
8 6. I was aware that by helping to initiate this lawsuit, my name would become known
9 and it was possible that my involvement in this matter could make it more difficult for me to obtain
10 employment in this field. Regardless, I believed it was important to proceed with this matter on
11 my behalf and on behalf of all others who were subject to the same problems during their
12 employment with Fox Rent A Car.

13 7. Based upon my participation in this case, I understand the merits of this settlement
14 and I strongly support the settlement and believe it is fair and reasonable, and in the best interest
15 of the aggrieved employees. I believe this Settlement will benefit the aggrieved employees.

16 8. It is my opinion that a fair and adequate Class enhancement for me as a named
17 Plaintiff is \$7,500.00. I believe that it is fair and reasonable in view of all of the work I have
18 performed in my role as a named Plaintiff. As a named Plaintiff, I actively participated in all stages
19 of the litigation as detailed above and have always maintained the best interest of the aggrieved
20 employees while performing my named Plaintiff duties.

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

23 Executed this 28th day of February, 2024 at San Francisco,
24 California.

25
26 
27 Walter Portillo
28

(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On February 28, 2024, I served all interested parties in this action the following documents described as: **DECLARATION OF WALTER PORTILLO IN SUPPORT OF PLAINTIFF'S MOTION FOR APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

LITTLER MENDELSON, P.C.

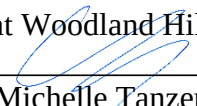
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Irvine, California 92612

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 28, 2024, at Woodland Hills, California.



Michelle Tanzer