

Rana Nader (SBN 247182)
nader@proxylawfirm.com
Hengameh S. Safaei (SBN 248048)
safaei@proxylawfirm.com
PROXY LAW FIRM LLP
10880 Wilshire Boulevard, Suite 1101
Los Angeles, California 90024
Telephone: (310) 853-8333
Facsimile: (310) 861-5931

Attorneys for Plaintiff LUCIO MENJIVAR

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES – CENTRAL DISTRICT

ANGEL RODRIGUEZ, individually, and on
behalf of other members of the general public
similarly situated,

Plaintiff,

vs.

AMERICAN TEXTILE MAINTENANCE, a
California corporation; and DOES 1 through 25,
inclusive,

Defendants.

LUCIO MENJIVAR, on behalf of himself and
all other aggrieved employees,

Plaintiff,

v.

AMERICAN TEXTILE MAINTENANCE
COMPANY, a California corporation d/b/a/
REPUBLIC MASTER CHEFS TEXTILE
RENTAL SERVICES, and DOES 1 through 10,
inclusive,

Defendants.

Case No. 22STCV17855 (Lead)
(Consolidated with Case No.
22STCV10611)

*Assigned for all purposes to the
Honorable Elaine Lu, Dept. 9*

**DECLARATION OF PLAINTIFF LUCIO
MENJIVAR IN SUPPORT OF NOTICE OF
MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: September 3, 2024

Time: 10:00 a.m.

Place: Department 9

Menjivar Complaint Filed: March 28, 2022

DECLARATION OF LUCIO MENJIVAR

I, Lucio Menjivar, declare:

1. I am the named Plaintiff in this lawsuit, and I am over 18 years old. I submit this Declaration in support of Plaintiff Lucio Menjivar's Motion for Preliminary Approval of Class Action and PAGA Settlement. I make this Declaration of my own personal knowledge and if called to testify, I could and would so competently on the basis of my own personal knowledge or information and belief.

2. I am the named Plaintiff in this action. I reviewed and signed the Settlement Agreement reached in this matter. I submit this Declaration to explain my involvement in this matter and to ask that the Court approve all the payments authorized by the Settlement, including the \$7,500 service award and general release payment to me.

3. I was hired by Defendant American Textile Maintenance Company doing business as Republic Master Chefs ("American Textile" or "Defendant") from approximately March 2005 to February 18, 2021. I worked for Defendant in their factory worker-production line, as an hourly-paid, non-exempt employee. During that time, I was a witness and subject to the policies and practices that have been alleged as unlawful in this case, and which were submitted in writing to the Labor and Workforce Development Agency on my behalf.

4. I have actively participated in this case since January 2022 and have spent a significant amount of my personal time working with my attorneys in this matter. On or about March 28, 2022, the Complaint entitled *Lucio Menjivar v. American Textile Maintenance Company, et al.* was filed in the Superior Court of California, Los Angeles County, on behalf of myself, and all other eligible employees.

5. The time I have spent on this matter, includes time for the following activities, among other incidental tasks, all of which I believe have contributed to the result and settlement achieved in this case:

- a. Providing detailed accounts of the facts related to my employment;
- b. Gathering my employment-related documents and sending them to my attorneys;

- c. Discussing and assisting my attorneys in their evaluation of the numerous records sent by Defendant relating to my employment;
- d. Reviewing documents prepared by my attorneys in this case for factual accuracy;
- e. Participating in numerous phone calls and email communications with my attorneys throughout the past 14 months regarding the litigation process, Defendant's defenses and arguments, case strategy, and other inquiries so that I could stay informed and updated on developments and the status of the case;
- f. Making myself available and participating in settlement discussions as necessary to address factual arguments raised by Defendant;
- g. Participating in the mediation for this case;
- h. Reviewing, discussing, and approving the parties' Settlement Agreement; and
- i. Staying informed on developments in the case following the parties' execution of the Settlement.

6. Since I first spoke to my attorneys in January 2022, I have asked my attorneys numerous questions whenever I needed clarification regarding the litigation process. Although I am not a legal expert and my knowledge of the law is limited, I always did my best to ensure that the recovery of benefits in this lawsuit is favorable to all eligible employees employed by Defendant.

7. Throughout this case, I have gathered data and provided valuable factual information to my attorneys, as well as responded to numerous inquiries regarding Defendant's positions and contentions, through hours of communications with my attorneys. I always made myself available to my attorneys whenever they asked for my assistance, and I always did my best to obtain any additional information that they requested to advance the case.

8. I have contributed a significant amount of personal time and attention to this matter and took reputational risks by being named as the named Plaintiff. My attorneys explained the risks and benefits of bringing a lawsuit and being the named Plaintiff, and after careful consideration, I decided to take that risk in order to help other eligible employees in a representative action. I also incurred a risk

1 to my reputation in pursuing this case against a well-known company and the documents filed in
2 connection with this case, which bear my name, are public records.

3 9. I believe my efforts helped get the result obtained in this case and I respectfully request
4 that the Court grant an enhancement payment to me in the amount of \$7,500 in addition to my pro rata
5 share of the settlement fund, in recognition of the significant time and effort I have put in the prosecution
6 of this action as a PAGA representative, the result obtained, and the risks I undertook by being the
7 named Plaintiff in this class action. I believe the requested award is fair and reasonable.

8 10. I am not aware of any other pending matter or action asserting claims that will be
9 extinguished or adversely affected by the Settlement.

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

12 Executed on 4/9/2024 in Los Angeles, California.

13 DocuSigned by:
14 Lucio Menjivar
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Lucio Menjivar, Plaintiff