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Superior Court of California
County of Stanislaus
Clerk of the Court
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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF STANISLAUS**

CATALINO MARTINEZ VERA, individually,
on behalf of all others similarly situated, the
State of California, and other aggrieved persons,

Plaintiff,

v.

VALLEY FRESH FOODS, INC., a California
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No. CV-22-002336

CLASS & REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Sonny S.
Sandhu, Dept. 24]*

**DECLARATION OF CATALINO
MARTINEZ VERA IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

DECLARATION OF CATALINO MARTINEZ VERA

I, Catalino Martinez Vera, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All of the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a former employee of Valley Fresh Foods, Inc. (“Valley Fresh”). I worked at Valley Fresh from approximately January 2018 to approximately November 2021 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to all of Valley Fresh’s policies and practices that have been alleged as unlawful in the Complaint.

4. I am the plaintiff in this action and have actively participated in this matter since before it was filed. Prior to filing this case, I provided Wilshire Law Firm and my attorneys a detailed account of the facts related to my employment with Valley Fresh, including Valley Fresh’s policy and practice of not providing its employees with California compliant meal and rest periods and requiring its employees to work “off-the-clock” during meal periods and after clocking out for the workday. Additionally, I provided my counsel with documentation including wage statements in support of the claims. These documents, along with the anecdotes I shared regarding my employment, assisted my attorneys in understanding the alleged illegal policies and practices at Valley Fresh. I also regularly communicated with my attorneys and staff members of Wilshire Law Firm.

5. My attorneys explained to me the risks and benefits of bringing forward a class action matter. I understood the risks, both professionally and financially, associated with pursuing a class action case and acting as the Class Representative. I further understood that pursuing the case as a class action rather than individually meant that it would take substantially longer as a

1 result of the multi-step approval process. Although I was made aware that there was a possibility
2 that I could receive nothing at the end, I believed that it was important to ensure that Valley Fresh
3 followed the law with respect to all of its hourly-paid, non-exempt employees.

4 6. Since this case was filed, I have had financial constraints that I needed to cover
5 including taking care of an immediate family member who was ill. Even though I could have
6 potentially pursued faster recovery on an individual basis, I chose to pursue the claims through this
7 class action to benefit other members of the class. I am relieved this case is coming to an end so
8 that other employees and I can be compensated.

9 7. By initiating this lawsuit, I also hoped that I might be able to change Valley Fresh's
10 policies to better protect the working conditions of my co-workers and provide monetary relief to
11 Valley Fresh's hourly-paid and non-exempt employees. Additionally, I understood that it was my
12 responsibility to act in the best interests of the Class and not just myself. In that respect, I
13 understood my duties and responsibilities to the proposed Class and carried out and will continue
14 to carry out those duties as necessary.

15 8. Throughout the course of the litigation, I maintained constant communication with
16 my attorneys and discussed important matters relevant to the lawsuit. I asked questions when I
17 wanted to know what was being done to advance the interests of the Class or simply wanted an
18 update regarding the case. I understood that a recovery would not only benefit me but would
19 benefit my fellow coworkers as well. At all times, I made myself available to answer any questions
20 that my attorneys had about my employment.

21 9. As a class representative, I performed a number of tasks, including speaking with
22 my counsel to discuss facts about the case, reviewing pleadings before filing with the court,
23 assisting with mediation preparation, being in regular contact with my counsel regarding the status
24 of my lawsuit, and providing my counsel with any information or documents upon request.

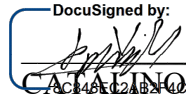
25 10. I estimate that I spent **at least 45 hours** searching for and collecting documents
26 related to my employment, speaking with my attorneys throughout the litigation, helping my
27 attorneys prepare for mediation, discussing the particulars and reasonableness of the settlement,
28 and reviewing/signing documents related to the settlement.

11. I have reviewed the Class Action and PAGA Settlement Agreement and Class Notice ("Settlement Agreement") in full and discussed all the terms with my attorneys. My attorneys answered all the questions I had regarding the Settlement Agreement. I believe the settlement terms and allocations are fair, adequate, and reasonable given the strength of the class claims and Valley Fresh's defenses.

12. I understand the proposed settlement allows me to be awarded a Class Representative Service Payment of \$7,500, which I am seeking for all the work and efforts in this case, for undertaking the financial risk and potential publicity of pursuing this case, and for my general release of claims that I have against Valley Fresh. As the plaintiff in this case, I have expended a lot of time and energy into this case and I respectfully request that the Court award me the service payment in full. I carried out these responsibilities and signed a general release, which does not apply to other employees. Meanwhile, I continue to fear that any employer may find out that I participated in this lawsuit and hold it against me, especially considering that my name is associated with this lawsuit. In a competitive job market, this factor may weigh heavily against me. Nonetheless, I felt that important rights were at stake that hurt myself and other employees so I am happy and hopeful that this case will be resolved soon.

I declare under penalty of perjury, under the laws of the State of California and the United States of America, that the foregoing is true and correct.

Executed on 10/18/2024 at Livingstone, California.

DocuSigned by:

Catalino MARTINEZ VERA

Martinez Vera v. Valley Fresh Foods, Inc., et al.
CV-22-002336

I, Rebecca Padilla, am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to this action. My business address is 3055 Wilshire Blvd., 12th Fl., Los Angeles, California 90010. My electronic service address is rpadilla@wilshirelawfirm.com.

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Rebecca Padilla