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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

KENNETH WARTA JR. and MICHAEL
MUNOZ, individually, on behalf of all others
similarly situated, and on behalf of the State of
California and other aggrieved persons,

Plaintiffs,

v.

LOZANO PLUMBING SERVICES,
INCORPORATED, a corporation; and DOES 1
through 10, inclusive,

Defendants.

Case No.: CVRI2304541

*[Assigned for All Purposes to the Hon.
Harold W. Hopp, Dept. 1]*

**DECLARATION OF KENNETH WARTA
JR. IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Preliminary Approval Hearing:

Date: July 7, 2026

Time: 8:30 a.m.

Dept.: 1

Reservation ID: 119201875815

Action Filed: August 29, 2023

DECLARATION OF KENNETH WARTA JR.

I, Kenneth Warta Jr., hereby declare as follows:

1. I have personal knowledge of the facts set forth herein and if called upon to testify, I could and would do so competently under oath. I make this declaration in support of the Motion for Preliminary Approval of Class Action and PAGA Settlement.

2. I worked for Defendant Lozano Plumbing Services, Incorporated (hereinafter “Lozano Plumbing”) as an hourly paid non-exempt employee from July 2020 until approximately May 2023.

3. Based on my experience and knowledge of Lozano Plumbing’s wage and hour policies and my familiarity with its employment practices, I worked with my attorneys to bring claims on my own behalf as well as on behalf of other hourly-paid, non-exempt employees of Lozano Plumbing.

4. I am seeking to become a class representative in this case. I believe my experiences are similar to other hourly-paid, non-exempt employees of Lozano Plumbing. I believe we were all subject to the same employment policies and practices.

5. I do not have any conflicts with other hourly-paid, non-exempt employees that would interfere with my ability to represent them. I believe I will adequately represent the other hourly-paid, non-exempt employees at Lozano Plumbing.

6. My interests as a named plaintiff in this case are not adverse to the interests of the other hourly-paid, non-exempt employees. I believe my interests are the same as the other employees because we were all subject to the same policies and practices and were similarly injured by Lozano Plumbing’s company-wide policies and practices. I am seeking the same recovery on behalf of myself and the other employees, which is to collect unpaid wages, penalties, and interest that are owed to us by Lozano Plumbing.

Risks, Both Financial and Otherwise, Faced in Bringing the Suit

7. Further, when I decided to become involved in this lawsuit as a class representative on behalf of other employees of Lozano Plumbing and as a private attorney general for the State of California, I understood that I was not only seeking unpaid wages and penalties on behalf of myself,

1 but also for other employees who worked for Lozano Plumbing, and that by doing so, I would be
2 delaying more immediate recovery available to me through the Labor Commissioner's office.

3 8. I was also made aware that being a class representative and private attorney general
4 in an action filed on behalf of others would subject me to a stigma that is sometimes associated with
5 those who bring these kinds of lawsuits. I was aware that, as a class representative and private
6 attorney general, I might be responsible for some or all of Lozano Plumbing's legal costs if the case
7 was not successfully concluded. Even with knowledge of these risks, I was willing to go forward and
8 to act on behalf of the other employees and the State of California, but I was nervous about losing
9 and having a judgment filed against me for costs or losing job opportunities in the future.

10 9. I understood that there were risks involved in class and representative action lawsuits.
11 I understood that the lawsuit could continue for several years and require my services and attention
12 throughout the entire length of the lawsuit. I learned that even if we won at trial, the case could be
13 further delayed by appeals.

14 **Notoriety and Personal Difficulties Encountered**

15 10. As a named plaintiff, I am the face of the litigation. As of the date of this declaration,
16 the class notice will be mailed in this case to approximately 289 current and former employees of
17 Lozano Plumbing, which will inform them that I filed class and representative actions against Lozano
18 Plumbing. Exposing myself to this kind of publicity creates a risk for my future career prospects,
19 since current and former employees of Lozano Plumbing may move to different companies within
20 the industry or may know people at other companies within the industry who may not wish to hire
21 someone who sued his employer. I also understand that having filed this lawsuit in court means that
22 there is now a permanent public record of this lawsuit available to the general public. Given this
23 additional exposure, there is further risk to my future career prospects.

24 **Amount of Time and Effort Spent and Duration of the Litigation**

25 11. I have always kept the best interests of the other hourly-paid, non-exempt employees
26 in mind while performing my duties as a named plaintiff in this case. I have been committed
27 throughout the course of this case to vigorously prosecuting this case on behalf of myself and the
28 other employees. I believe that I have demonstrated my ability to advocate for the interests of the

other hourly-paid non-exempt employees by initiating these lawsuits and have spent a substantial amount of time and effort on this litigation. My work on this case has specifically included, among other things, searching for and gathering my employment documents to provide to my attorneys, providing information to my attorneys regarding my experiences working for Lozano Plumbing, keeping in regular contact with my attorneys regarding the status of the case, helping my attorneys prepare for mediation, being on-call for my attorneys on the date of mediation in case questions or concerns arose during mediation, and participating in settlement discussions. After mediation, I remained actively involved by reviewing the settlement papers and contacting my counsel for updates. I estimate that since I retained my counsel in May 2023, I have spent approximately 30 hours on the activities described above. And I estimate that I will spend an additional 1-3 hours assisting my attorneys through the approval process and staying up to date with the case through disbursement of the settlement checks.

Personal Benefit Received as a Result of the Litigation

12. Absent the requested service payment, the personal benefit I will receive is the same as all other employees. But unlike the other employees, who are only releasing the wage and hour claims asserted in the lawsuit, I have signed a general release of claims as to Lozano Plumbing.

13. I will continue to actively participate in this lawsuit as necessary and will continue to make myself available to assist in this case moving forward as needed.

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No Conflicts

1. I do not have any actual or potential conflicts of interest with Class Members or the proposed Settlement Administrator, ILYM Group Inc.

2. I am not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by this Settlement.

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

Executed on 5/29/2026 at Eastvale, California.
(City Name)

Signed by:


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Kenneth Warta Jr.