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Attorneys for Plaintiff

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

JOSE CRUZ CHAVEZ, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

HEMINGTON LANDSCAPE SERVICES, INC.,
a California corporation; and DOES 1 through
10, inclusive,

Defendants.

Case No.: 34-2022-00324239-CU-OE-GDS
(consolidated with Case No.: 34-2022-
00328975-CU-OE-GDS)

Assigned for all purposes to:
Hon. Jill H. Talley
Dept. 23

**DECLARATION OF JOSE CRUZ
CHAVEZ IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

PRELIMINARY APPROVAL HEARING

Date: August 29, 2025
Time: 9:00 a.m.
Dept: 23

Class Complaint filed:	July 26, 2022
PAGA Complaint filed:	October 27, 2022
Trial date:	Not set

1 I, Jose Cruz Chavez, hereby declare as follows:

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

5 2. I worked for Defendant Hemington Landscape Services, Inc., as an hourly-paid,
6 non-exempt laborer from approximately 2017 to August 2021.

7 3. Based on my experience and knowledge of Defendant Hemington Landscape
8 Services, Inc.'s ("Defendant") wage and hour policies and my familiarity with its employment
9 practices, I worked with my attorneys to bring claims on my own behalf as well as on behalf of other
10 hourly-paid, non-exempt employees of Defendant. Specifically, I initiated this lawsuit because I was
11 concerned that I was not paid properly for all the hours that I worked, and I was not provided all of
12 my meal and rest breaks.

13 4. I am seeking to become a class representative in this case. I believe my experiences
14 are similar to other hourly-paid, non-exempt employees of Defendant. I believe we were all subject
15 to the same employment policies and practices. By originating this lawsuit as a class representative,
16 I hoped that I might be able to change Defendant's policies to better protect the working conditions
17 of my former co-workers.

18 5. I do not have any conflicts with other hourly-paid, non-exempt employees that
19 would interfere with my ability to represent them. I believe I will adequately represent the other
20 hourly-paid, non-exempt employees of Defendant.

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

27 7. I have always kept the best interests of the other hourly-paid, non-exempt
28 employees in mind while performing my duties as the named plaintiff in this case. I have been

1 committed throughout the course of this case to vigorously prosecuting this case on behalf of
2 myself and the other employees. I believe that I have demonstrated my ability to advocate for
3 the interests of the other hourly-paid, non-exempt employees by initiating this lawsuit,
4 providing information to my attorneys, keeping in regular contact with my attorneys regarding
5 the status of the case, being available on the day of mediation to answer questions, and reviewing
6 (and ultimately signing) the settlement agreement to make sure it was fair.

7 8. I have invested a lot of personal time and energy into this lawsuit. I have spent
8 approximately 40 hours on this case since I retained my attorneys in May 2022. I made it a
9 priority to be actively involved in this lawsuit because I wanted to do everything I could to assist
10 my attorneys in prosecuting this case. For example, during some phone calls, my attorneys and
11 I were able to identify instances when I was not paid correctly. And leading up to the mediation
12 in July 2023, I had multiple lengthy phone calls with Wilshire Law Firm regarding the claims
13 at issue and what was to transpire at mediation.

14 9. Further, I did not make the decision to file a class action lightly. I was concerned
15 by the attention a publicly filed lawsuit, and especially a class action, would attract. My name
16 would be associated with a lawsuit that I filed against my former employer. I am mindful that
17 prospective employers might find out that I sued Defendant and it could affect my employment
18 prospects in my industry.

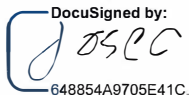
19 10. I also understood that by bringing this lawsuit I was subjecting myself to financial
20 risk. For example, I knew that if I did not prevail in this lawsuit that I could potentially be
21 responsible for Defendant's attorneys' fees and costs.

22 11. I understand that the settlement agreement provides a Class Representative
23 Service Payment to me of up to \$12,500.00. I believe this amount is a fair compensation for my
24 time and effort on this case, for helping to prosecute this case, and the risks with respect to my
25 future employment. In addition, the settlement requires that I enter into a general release, which
26 is broader than the release that will bind other class members.

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

1
2 I declare under penalty of perjury under the laws of the State of California that the
3 foregoing is true and correct.

4 Executed on 8/7/2025, at Sacramento, California.

5  DocuSigned by:
648854A9705E41C...

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