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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF FRESNO

PASCUAL LUJAN, individually and on behalf of other similarly situated employees and aggrieved employees pursuant to the California Private Attorneys General Act,

Plaintiff,

vs.

GUSMER ENTERPRISES, INC.; and DOES 1 through 25, inclusive,

Defendants.

Case No.: 24CECG00166

Honorable Kristi Culver Kapetan
Department 502

DECLARATION OF PLAINTIFF PASCUAL LUJAN IN SUPPORT OF RENEWED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

Date:	November 10, 2026
Time:	3:30 p.m.
Dept:	502
Complaint Filed:	January 11, 2024
FAC Filed:	August 26, 2025
Trial Date:	Not Set

The signed document can be validated at https://app.vinesign.com/Verify

DECLARATION OF PASCUAL LUJAN

I, Pascual Lujan, declare and state as follows:

1. I am over the age of eighteen (18) and a resident of the State of California. I am the named plaintiff in this action. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Defendant Gusmer Enterprises, Inc. ("Defendant") as an hourly-paid, non-exempt employee with the job titled "maintenance mechanic" from approximately December 2019 to approximately May 2022.

3. During my employment, I questioned whether Defendant was properly compensating its employees. I believed that I, and my co-workers, were not being permitted to take lawful meal and rest breaks, were performing work without proper compensation, and were not being reimbursed for necessary business expenses. I decided to seek legal advice about my experiences and to explore my options for filing a lawsuit to address these issues.

4. I contacted Blackstone Law, APC and spoke with attorneys there. I wanted to ensure that Defendant was held accountable for failing to properly compensate employees for all hours worked, failing to provide lawful meal and rest breaks, failing to reimburse employees for necessary business expenses, and other related violations. After consulting with the attorneys, I educated myself on class and representative action lawsuits to better understand them. I then further discussed my experiences with the attorneys at Blackstone Law, APC, including what it meant to bring a class action and an action under the California Labor Code Private Attorneys General Act of 2004 ("PAGA").

5. During my employment with Defendant, my meal periods and rest periods were frequently interrupted with work-related communications and tasks. Based on my observations and discussions with co-workers, I understood that other hourly employees experienced similar issues with interrupted or missed meal and rest breaks.

6. My off-the-clock work included tasks performed during meal periods or rest periods, as well as work performed before and after shifts. I and my co-workers were frequently asked to perform work during meal and rest breaks, and I observed co-workers clocking out and then continuing to work. These experiences led me to believe that the off-the-clock work issues were not limited to

me personally, but were part of Defendant's broader practices affecting hourly employees.

7. While I worked at Defendant, I and other hourly-paid employees were required to use our personal cell phones for work-related purposes, but were not reimbursed by Defendant for this expense. Additionally, we were expected to purchase certain items necessary to perform work, such as gloves, boots, masks, and safety glasses – which purchases were not reimbursed.

8. Based on my employment experience, observations, and communications with co-workers, I believe the claims I brought are typical of the claims of other hourly-paid, non-exempt employees. I was subject to the same general workplace policies, management practices, and expectations as other hourly employees. The issues I experienced, including interrupted meal and rest breaks, off-the-clock work, and unreimbursed business expenses, were not unique to me.

9. I understand that the Class includes current and former hourly-paid and/or non-exempt employees who worked for Defendant in California during the Class Period. I was an hourly-paid, non-exempt employee during that period. Because I experienced the same types of wage-and-hour issues alleged on behalf of the Class, I believe my claims arise from the same general course of conduct as the claims of the other Class Members.

10. I also understand that a class action requires the interests of the named Plaintiff to be aligned with the interests of the Class. Throughout this litigation, my goal has been to pursue relief not only for myself, but also for other hourly employees who were affected by Defendant's policies and practices. I have not sought to obtain any result that would benefit me at the expense of other Class Members or PAGA Employees.

11. I believe there is a community of interest between me and the other Class Members because our claims are based on common workplace policies and practices applied to hourly-paid, non-exempt employees. These include Defendant's practices concerning meal periods, rest periods, timekeeping, compensation for all hours worked, reimbursement of business expenses, wage statements, and related derivative claims. My experiences gave me information about how these practices operated in the workplace and how they affected employees.

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12. I have regularly communicated with my attorneys throughout this litigation. In fulfilling my responsibilities as a class and PAGA representative, I have searched for and provided documents relating to my employment with Defendant, reviewed documents, answered my attorneys' questions, provided information and guidance concerning the duties of other hourly-paid, non-exempt employees, and helped identify what additional documents and information could be sought from Defendant.

13. I routinely checked in with my attorneys and their staff to ensure they had my current contact information and to provide any new information I obtained. I remained available to answer questions, speak with my attorneys, and provide input whenever needed.

14. I described Defendant's policies, practices, and procedures in detail to my attorneys. I explained my job duties, my schedule, the work I performed, the circumstances surrounding missed or interrupted breaks, the types of off-the-clock work I observed or performed, and the unreimbursed expenses I incurred. I also provided information about the duties and experiences of other hourly-paid, non-exempt employees to the best of my knowledge.

15. I identified and referred potential witnesses to my attorneys. I also helped my attorneys prepare for mediation by providing information about my employment, Defendant's practices, and the claims asserted in this case. I made myself available during the mediation process and participated as needed to assist my attorneys in evaluating and resolving the case.

16. I reviewed the settlement agreement, discussed the settlement agreement with my attorneys, and asked them questions before signing it.

17. I understood that if this matter had not settled and proceeded toward trial, I would have been required to continue actively participating in the case. I was prepared to appear in court, testify if necessary, assist my attorneys with preparation, and fulfill any responsibilities required of me as the named Plaintiff, Class Representative, and PAGA Representative.

18. I am aware that by filing this lawsuit, I assumed significant personal risk. Had this litigation been unsuccessful, I could have been required to pay the costs incurred in this lawsuit. I also risked losing income or time for the substantial effort required to fulfill my responsibilities, including the prospect of attending trial. By contrast, the other employees who will receive compensation from

this settlement were not required to file any claim, assume any financial risk, or invest any time in pursuing this action.

19. I believe that I have done everything that my attorneys have asked of me and have worked, to the best of my ability, to seek relief for the Class Members, the PAGA Employees, and the State of California. I believe my efforts helped get the result obtained in this case.

20. I understand that any resolution of this lawsuit on a class and/or representative basis is subject to Court approval, and that any settlement must be designed in the best interests of the Class and PAGA Employees as a whole. Throughout this litigation, I have consistently placed the interests of the other Class Members and PAGA Employees above my own personal interests.

21. To date, I estimate I have spent approximately 45 hours participating in this case over a period of more than two years, as the Defendant has actively fought this case.

22. I respectfully request that the Court award me an Enhancement Payment in the amount of Seven Thousand Five Hundred Dollars ($7,500) in recognition of my active participation in this case, the time and effort I devoted to the litigation, the risks I assumed by serving as the named Plaintiff, and the broader general release of claims that I am providing against Defendant. This Enhancement Payment is in addition to my share as a Class Member and PAGA Employee. Considering the scope of my general release, which extinguishes individual claims beyond those being released by other Class Members, as well as the time, effort, and risk I have dedicated to this litigation, I believe that this amount is fair and reasonable.

23. I am not related to anyone associated with Blackstone Law, APC

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 08/01/2026, at Fresno, California.

Pascual Lujan

Pascual Lujan