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Attorneys for Plaintiff and the proposed class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

ALEJANDRO GARNICA-VEGA, an
individual, on behalf of himself and others
similarly situated

PLAINTIFF,

v.

BAPKO METAL, INC.; and DOES 1 thru 50,
inclusive,

DEFENDANTS.

CASE NO. 30-2025-01464229-CU-OE-CXC

[Case Assigned for All Purposes to Hon. David
A. Hoffer in Dept. CX-103]

**DECLARATION OF ALEJANDRO
GARNICA-VEGA IN SUPPORT OF
PLAINTIFF'S MOTION FOR APPROVAL
OF REPRESENTATIVE ACTION
SETTLEMENT**

Date: November 30, 2026

Time: 1:30 P.M.

Dept.: CX-103

Reservation ID: 74967044

Complaint Filed: March 3, 2025

Trial Date: None Set

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I, ALEJANDRO GARNICA-VEGA, state and declare as follows:

1. I am a competent adult, over the age of eighteen and the named Plaintiff in the matter of *ALEJANDRO GARNICA-VEGA, an individual, on behalf of himself and others similarly situated PLAINTIFF, v. BAPKO METAL, INC.; and DOES 1 thru 50, inclusive, DEFENDANTS.*, Orange County Superior Court, Case No. 30-2025-01464229-CU-OE-CXC. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto. I am making this sworn declaration in support of my claims and the claim of my co-workers, and in support of my qualifications as Plaintiff, and in support of the Motion Approval of Representative Action Settlement. If called as a witness, I could and would competently testify as to the truth of the matters set forth herein.

2. I am a former non-exempt employee of Defendant BAPKO METAL, INC. (“Defendant” or “Bapko”) and performed work for Defendant as a driver from approximately 2022 through 2025, earning approximately \$24 per hour.

3. I have spent significant time throughout this Action working with PAGA Counsel. Before filing a class action, in 2022, I researched and identified Counsel that I believed could best represent the interests of the Aggrieved Employees for these types of claims. I specifically wanted to find attorneys with experience with these types of claims. I also assisted the attorneys with investigation and gathering of information including discussing my work experience and the experience of others that I had observed while working for Bapko and provided all relevant employment documents in my possession to assist them.

4. Based on my day-to-day experience as a driver working for Defendant, I believe that the claims in the lawsuit are accurate. I do not think that I always received all wages and overtime compensation owed to me, including compensation for all hours worked at the proper overtime rate when I worked more than eight (8) hours in a day or forty (40) hours in a week. I also did not always receive a thirty (30) minute uninterrupted first meal period within the first five (5) hours of my shift when I worked five (5) hours or more, nor did I always receive a second thirty (30) minute meal period when I worked more than ten (10) hours, and I do not think that

1 Defendant properly informed me of my right to take these meal periods. I also did not always
2 receive the ten (10) minute paid rest periods I was entitled to for every four (4) hours worked, or
3 major fraction thereof, and Defendant did not properly inform me of my right to take these rest
4 periods. I do not believe the itemized wage statements I received accurately reflected all hours I
5 worked or all applicable hourly rates in effect during the pay period. Based on these issues, I do
6 not think that I received all wages due at the time of termination or resignation.

7 5. It was very difficult to reach a settlement in this matter. But once the Parties agreed
8 to a settlement proposal, I reviewed the terms of the proposed settlement before signing it. My
9 attorneys explained the specifics of how the settlement would work and I accepted the settlement
10 only after I had spent time evaluating the proposed outcome to assure that it was fair based on all
11 of the risks. Based on my attorneys' evaluation and recommendation, and my own review, I believe
12 the settlement is fair and reasonable and adequately compensates the Aggrieved Employees.

13 6. I believe that I have always put the Aggrieved Employees interests ahead of my
14 own interests at all times during this litigation.

15 7. I also am aware and understand that I have agreed to sign a broader release of the
16 claims than the release applicable to the Aggrieved Employees in reaching the Settlement.

17 8. Throughout the entirety of this litigation, I have maintained regular contact with
18 PAGA Counsel and assisted in any way possible by providing information and making myself
19 available as needed.

20 9. Though I did not keep contemporaneous time records, I estimate I spent
21 approximately 10-15 hours on the above activities.

22 10. I was aware that by helping to initiate this lawsuit, my name would become known
23 and it was possible that my involvement in this matter could make it more difficult for me to obtain
24 employment in this field. Regardless, I believed it was important to proceed with this matter on
25 my behalf and on behalf of all others who were subject to the same problems during their
26 employment with Bapko.

27 11. Based upon my participation in this case, I understand the merits of this settlement
28 and I strongly support the settlement and believe it is fair and reasonable, and in the best interest

1 of the Aggrieved Employees. I believe this Settlement will benefit the Aggrieved Employees.

2 12. It is my opinion that a fair and adequate PAGA Representative Enhancement for
3 me as a named Plaintiff is \$5,000. I believe that it is fair and reasonable in view of all of the work
4 I have performed in my role as a named Plaintiff. As Plaintiff, I actively participated in all stages
5 of the litigation as detailed above and have always maintained the best interest of the Aggrieved
6 Employees while performing my named Plaintiff duties.

7 13. I am committed to this case and will continue to make myself available as needed
8 in the settlement process.

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

11 Executed this 17 day of September, 2026 at Lehi,
12 California. (City)

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15 ALEJANDRO GARNICA-VEGA
16 Declarant

(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On September 28, 2026, I served all interested parties in this action the following documents described as: **DECLARATION OF ALEJANDRO GARNICA-VEGA IN SUPPORT OF PLAINTIFF'S MOTION FOR APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

A Professional Law Corporation

Ronald W. Novotny

Rnovotny@aalrr.com

Steve Araiza

Steve.araiza@aalrr.com

Shawn M. Cress

SCress@aalrr.com

12800 Center Court Drive South, Suite 300

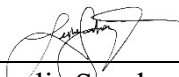
Cerritos, California 90703-9364

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.govfa.net/432>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 28, 2026, at Chino, California.



Leslie Sanchez