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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

EDGAR HERNANDEZ, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

ROOM & BOARD, INC., a Minnesota
Corporation; and DOES 1 through 20,
inclusive;

Defendants.

Case No.: 22STCV30047
*[Assigned to Hon. William F. Highberger,
Dept SS10, for all purposes]*

**DECLARATION OF PLAINTIFF
EDGAR HERNANDEZ IN SUPPORT OF
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Complaint filed: September 15, 2022
FAC filed: December 15, 2022

I, Edgar Hernandez, state and declare:

1. I am the Plaintiff in the above captioned action and have personal knowledge of all matters stated herein and could competently testify thereto. I make this declaration in support of the motion for preliminary approval of the class action settlement. I believe that the settlement is fair and reasonable and constitutes a fair resolution of the claims alleged.

1 2. During my employment with Room & Board, there were several issues that
2 concerned me and which I thought did not comply with California law, such as not being paid
3 properly and not getting proper meal periods and rest breaks. Even though I was unsure if I
4 wanted to bring a lawsuit because of the risk of stepping forward as a whistle blower (since this
5 could jeopardize my livelihood in the industry and make it difficult to find future jobs), I retained
6 my attorneys to proceed with this class action because I did not think that myself or the other
7 employees were being treated correctly.

8 3. When I first retained my attorneys (Lauby, Mankin & Lauby and Bokhour Law
9 Group, P.C.) and chose to pursue this case on a class action basis, I understood that I had specific
10 burdens as the “Class Representative,” which included: (a) representing the interests of all class
11 members, (2) considering the interests of all class members above my own personal interests, (3)
12 participating actively in the lawsuit, including potential testimony at deposition and trial, and
13 keeping generally aware of the status and progress of the lawsuit. Moreover, I understood that
14 any resolution of the lawsuit is subject to court approval and must be designed in the best
15 interests of the class as a whole.

16 4. I respectfully request that the court approve the service award for the following
17 reasons.

18 5. First, I have spent substantial time working on this case and have performed
19 substantial services for the Class to help obtain a highly beneficial settlement for my fellow
20 employees. Since first initiating this action, I estimate that I have spent at least sixty (60) hours
21 engaged in activities to benefit the class. I have assisted my attorneys in numerous ways,
22 including helping to explain and discuss the company’s practices and their general practices and
23 procedures, locating and analyzing company documents, and communicating with other class
24 members. These efforts occurred through numerous meetings with Class Counsel, telephone
25 conferences, letters, emails, and text communications. I also spent substantial time assisting with
26 preparation for mediation, where we obtained an extremely good result for the Class – with an
27 average payment of over \$2,400 per person. My work also continued after mediation, as I
28 reviewed settlement agreements and other settlement documents, and continued communication

1 with Class Counsel and other class members during the settlement approval processes.

2 6. Second, I respectfully request that the Court approve the agreed-upon service
3 award because I agreed to set aside my personal interests and to put the interests of the class
4 ahead or on par with my own. In doing so, and by successfully bringing this case as a class
5 action, I helped to obtain a highly beneficial settlement for the class members.

6 7. Third, as a condition of this class action settlement, I was required to release and
7 waive all possible individual claims against the company – something that none of the other class
8 members were required to give up.

9 8. Fourth, by bringing this case as a class action, I undertook significant risks and
10 stresses at a high emotional cost without any guarantee of success. For example, filing this
11 lawsuit and being a whistle blower was stressful on a day-to-day basis as I have constantly
12 worried about the risk that this case could impact my ability to find future jobs. This stress/risk
13 lasted for the entire case, and I'm worried it may make it hard to find a job in the future since the
14 case information is all available online.

15 9. Fifth, bringing this case also came with a major financial risk because, if I lost the
16 case, I would be required to pay the company's costs, which could be over \$10,000, and there
17 was a chance they could try to make me pay their attorneys' fees as well.

18 10. Therefore, I respectfully request that the Court award the full requested service
19 award since that amount is justified based on the facts above.

20 I declare under penalty of perjury under the laws of the State of California that the
21 foregoing is true and correct. Executed on Feb 27, 2024, at Los Angeles, California.

22
23 By:


Edgar Hernandez (Feb 27, 2024 13:53 PST)
Edgar Hernandez