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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

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
PRELIMINARY 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.

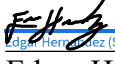
1 2. When I first retained my attorneys (Lauby, Mankin & Lauby and Bokhour Law
2 Group, P.C.) and chose to pursue this case on a class action basis, I understood that I had specific
3 burdens as the “Class Representative,” which included: (a) representing the interests of all class
4 members, (2) considering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

9 3. Since first initiating this action on behalf of the proposed class, I believe that I
10 have more than adequately performed my duties as a class representative. I have been an active
11 participant in this litigation, including assisting my attorneys in various ways and making myself
12 available when needed. For example, I have assisted my attorneys by compiling and analyzing
13 substantial documentation regarding the claims in this case. I have also helped to explain and
14 discuss the company’s practices and their general practices and procedures, locating and
15 analyzing company documents, among others. I have also reviewed all settlement documents and
16 believe that this settlement is fair for the class. Finally, I will continue to take all steps necessary
17 to finalize this settlement and obtain court approval.

18 4. I have no conflicts with the proposed class members and will continue to assist
19 with the litigation and prosecute the case on behalf of the other employees.

20 5. I respectfully request that the court preliminarily approve the service award. As
21 outlined above, I have performed substantial services for the Class and helped obtain a highly
22 beneficial settlement for my fellow employees. And I have also agreed to waive all of my claims
23 against the company as part of this settlement and in exchange for the service award – which
24 goes well beyond the release given by other class members. At the final approval stage, I will
25 submit an additional declaration setting forth all the work I did for this case, including an
26 estimated number of hours spent assisting the Class and my attorneys.
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1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed on Sep 29, 2023, at Los Angeles, California.

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4 By:  _____
5 Edgar Hernandez
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