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Attorneys for Plaintiff
GUADALUPE HERNANDEZ

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

GUADALUPE HERNANDEZ, on behalf of
himself, and all others similarly situated,

Plaintiff,

v.

AUTOMATED HARVESTING, LLC; and
DOES 1 through 50, inclusive,

Defendants.

Case No: 22CV002717

REPRESENTATIVE ACTION

**DECLARATION OF PLAINTIFF
GUADALUPE HERNANDEZ IN
SUPPORT OF MOTIONS FOR AN
ORDER APPROVING SETTLEMENT OF
PAGA ACTION AND DISMISSING
ACTION WITH PREJUDICE AND FOR
AN ORDER AWARDING ATTORNEYS'
FEES AND COSTS, ENHANCEMENT
PAYMENT, AND SETTLEMENT
ADMINISTRATION FEES**

[Assigned for all purposes to The Honorable
Thomas A. Wills, Dept. 15]

Date: November 17, 2023
Time: 10:00 a.m. (matter will trail to end of
8:30 a.m. calendar)
Dept. 15

Complaint filed: September 13, 2022
FAC Filed: November 15, 2022
SAC Filed: December 20, 2022

1 I, GUADALUPE HERNANDEZ, declare as follows:

2 1. I am the named Plaintiff and representative of the LWDA and aggrieved
3 employees in this action against Automated Harvesting, LLC. I have personal knowledge of the
4 facts stated herein and, if called as a witness, I could and would testify competently to the facts
5 set forth below.

6 2. I worked for Defendant as an hourly non-exempt hourly lettuce cutter in
7 California on a seasonal basis, including approximately April 2021 through November 2021 in
8 Salinas, California.

9 3. I reached out to my attorneys because I could not understand my wage statements.
10 Due to my issues understanding my wage statements, I did not believe I was being paid
11 correctly for overtime.

12 4. My case against Defendant was filed on September 13, 2022. Prior to filing the
13 complaint, I first spoke with my attorney Robert Spencer, Esq. of Keller Grover LLP. I spent
14 over an hour describing to Mr. Spencer the facts of my case. I also had a separate conversation
15 with him for over an hour to discuss the process of a PAGA action as well as my responsibilities
16 to the aggrieved employees. I then determined that Keller Grover LLP was the appropriate law
17 firm to handle my case.

18 5. Mr. Spencer and I also worked together on my PAGA letter that we sent to the
19 LWDA. I spent approximately half an hour speaking with Mr. Spencer on the telephone to
20 create the PAGA letter; then another hour reviewing it at home prior to it being uploaded to the
21 LWDA.

22 6. When the original complaint was drafted, I spent an hour reviewing it before it
23 was filed to make sure it was accurate. I also reviewed the first and second amended complaints
24 before they were filed and discussed them with my attorneys.

25 7. Throughout my involvement in the case, I have maintained regular telephonic
26 communications with Mr. Spencer to discuss the status of the case and to respond to any
27 questions he might have. We speak about once a month.
28

PROOF OF SERVICE

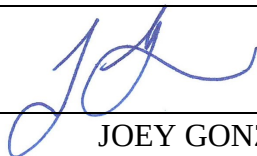
I, JOEY GONZALEZ, am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to the within action. My business address is 1965 Market Street, San Francisco, California 94103. On October 10, 2023, in the case of *Hernandez v. Automated Harvesting, LLC, et al.*, Monterey County Superior Court Case Number 22CV002717, I served the foregoing document(s):

DECLARATION OF PLAINTIFF GUADALUPE HERNANDEZ IN SUPPORT OF MOTIONS FOR AN ORDER APPROVING SETTLEMENT OF PAGA ACTION AND DISMISSING ACTION WITH PREJUDICE AND FOR AN ORDER AWARDING ATTORNEYS' FEES AND COSTS, SERVICE PAYMENT, AND SETTLEMENT ADMINISTRATION FEES

on the interested party(ies) below, using the following means:

Andrew Levin andy.levin@ogletree.com Michael Wilson michael.wilson@ogletree.com Patricia Hernandez patricia.hernandez@ogletree.com Cheyenne Camarena Cheyenne.camarena@ogletree.com Diane Cooke diane.cooke@ogletree.com OGLETREE DEAKINS Esplanade Center III 2415 East Camelback Road, Suite 800 Phoenix, AZ 85016 Telephone: 602-778-3711	<i>Attorneys for Defendant</i> AUTOMATED HARVESTING, LLC
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☒	(BY ELECTRONIC SERVICE) by electronically mailing a true and correct copy in PDF format through our electronic mail system to the email address(es) set forth above, or as stated on the attached service list per agreement between the Parties.
☒	(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


JOEY GONZALEZ