

1 DAVID GLENN SPIVAK (SBN 179684)
david@spivaklaw.com

2 CAROLINE TAHMASSIAN (SBN 285680)
caroline@spivaklaw.com

3 THE SPIVAK LAW FIRM

4 8605 Santa Monica Bl

PMB 42554

5 West Hollywood, CA 90069

Telephone: (213) 725-9094

6 Facsimile: (213) 634-2485

7 Attorneys for Plaintiffs, and all others similarly situated

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF SAN BERNARDINO**

10 **(UNLIMITED JURISDICTION)**

11 MARGARITA PEREZ and MARIA DE LA
12 LUNA HUERTA on behalf of themselves and all
13 others similarly situated, and the general public,
14 and as "Aggrieved Employees" on behalf of
15 other "Aggrieved Employees" and the State of
16 California under the Labor Code Private
Attorneys General Act of 2004,

17 *Plaintiff(s),*

18 vs.

19 WORKFORCE PERSONNEL, INC., California
20 Corporation; DIAMOND WIPES
21 INTERNATIONAL, INC., California
22 Corporation; and DOES 1–50, inclusive,

23 *Defendant(s).*

Case No. CIVSB2220822

**DECLARATION OF MARIA DE LA
LUNA HUERTA IN SUPPORT OF
PLAINTIFF MARIA DE LA LUNA
HUERTA'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT
WITH DEFENDANT WORKFORCE
PERSONNEL, INC.**



SPIVAK LAW
EMPLOYEE RIGHTS

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
1875 Century Park East
Fl 7
Los Angeles, CA 90067

ADDITIONAL ATTORNEYS FOR PLAINTIFF(S)

LOUIS M. BENOWITZ (SBN 262300)
louis@benowitzlaw.com
BENOWITZ LAW CORPORATION
8605 Santa Monica Boulevard
PMB 97638
West Hollywood, CA 90069
Telephone: (747) 233-2600 Work
Facsimile: (818) 839-9610



SPIVAK LAW
EMPLOYEE RIGHTS

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
1875 Century Park East
Fl 7
Los Angeles, CA 90067

1 **DECLARATION OF MARIA DE LA LUNA HUERTA IN SUPPORT OF PLAINTIFF**
2 **MARIA DE LA LUNA HUERTA'S MOTION FOR PRELIMINARY APPROVAL OF**
3 **CLASS ACTION SETTLEMENT**

4 I, MARIA DE LA LUNA HUERTA, and state as follows:

5 1. I am a resident of the City of Moreno Valley, in the State of CA and am over 18
6 years of age. I am the plaintiff in this action and am represented by David Spivak of The Spivak
7 Law Firm and LOUIS M. BENOWITZ of Benowitz Law Corporation in this action. Except as
8 otherwise stated, I have personal knowledge of all matters set forth in this declaration and could
9 and would competently testify thereto if called upon to do so as a witness. My name is spelled
10 incorrectly in the documentation of this case though I did not notice the mistake until recently.
11 My name should have been spelled Maria De La Luz Huerta.

12 2. I understand that, as Class Representative, I have certain duties and responsibilities
13 to the Class Members and believe that I have fairly represented the interests of all Class Members
14 during the entire course of this case.

15 3. On approximately August of 2022, Defendants began to employ me to work at
16 Defendant Diamond Wipes, Inc's Chino location in the position of hourly, non-exempt operator
17 and packer on the production line. Defendants continuously employed me in that capacity for
18 approximately five (5) months.

19 4. Similar to the other absent class members, Defendants paid me on an hourly basis.

20 5. I believe my claims are typical of the other absent Class Members and I can
21 adequately represent the Class. Throughout my employment with Defendants, I observed other
22 employees work under similar conditions and policies. For example, I observed other employees
23 having the same issues I had with the timekeeping system, which often malfunctioned and
24 resulted in unpaid hours. I also observed other employees taking late meal periods and being
25 prohibited from leaving their worksites during meal and/or rest breaks.

26 6. My counsel provided me with information regarding class actions, how they work,
27 and what my duties would be as the Class Representative. I agreed to serve as a Class
28 Representative so that I could seek to recover wages and penalties on behalf of myself and other
29 employees like me.

30 7. I have no conflicts of interest with the absent Class Members. I have and will
31 continue to adequately represent the Class and consider the interests of the Class just as I would



SPIVAK LAW
EMPLOYEE RIGHTS

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
1875 Century Park East
Fl 7
Los Angeles, CA 90067

1 consider my own interests and, in some cases, to put the interests of the Class before my own
2 interests. I am committed to the Class and will continue to assist my attorneys throughout this
3 case's litigation and during the process of the approval of the settlement.

4 8. I understand that the Settlement in this case is subject to this Court's approval to
5 ensure that it is in the best interest of the Class as a whole. I have no conflicts with the Class.

6 9. I understand that my attorneys are submitting an application to this Court for a
7 Class Representative Service Payment to compensate me for my unique contributions to the
8 success of this action as the Class Representative in the amount of \$5,000.00. I believe this
9 amount is fair and reasonable compensation for my efforts in this case and the risks I have taken
10 in pursuing a fair recovery for the Class Members.

11 10. I have provided Defendant with a general release of any and all claims, known or
12 unknown, I may have against Defendant. By agreeing to settle the case in the best interest of the
13 Class Members, I have given up the right to pursue my individual claims for unpaid wages and
14 penalties and to recover substantially more for unpaid wages, interest, waiting time penalties, and
15 pay stub penalties. I did not seek an individual settlement for my claims at all, instead choosing
16 to prosecute this matter on behalf of my coworkers. By pursuing the claims of all Class Members,
17 I have also rendered my own individual payment uncertain and delayed its payment by several
18 months (at the least).

19 11. As Class Representative, I assumed a fiduciary role to the Class. I agreed to (1)
20 consider the interests of the Class just as I would consider my own interests and, in some cases,
21 to put the interests of the Class before my own interests; (2) actively participate in the lawsuit, as
22 necessary, by among other things, producing documents to named Defendants and giving
23 depositions and trial testimony *if requested*; (3) travel to give such testimony *if requested*; (4)
24 recognize and accept that any resolution of the lawsuit by dismissal or settlement, is subject to
25 court approval, and must be designed in the best interest of the Class as a whole; (5) follow the
26 progress of the lawsuit and provide all relevant facts to my attorneys; (6) champion many other
27 people with similar claims and injuries because of the importance of the case and the necessity
28 that all Class Members benefit from the lawsuit; and (7) fight for a resolution in which the
individual recoveries to each Class Members, including me, maybe relatively small. I agreed to
shoulder all of these responsibilities in exchange for a proportionate share of funds made available
for distribution to the Class Members. I had no guarantee of a Class Representative Service



SPIVAK LAW
EMPLOYEE RIGHTS

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
1875 Century Park East
Fl 7
Los Angeles, CA 90067

1 Payment. I have spent over 10.19 hours of my time in connection with this case to date. Attached
2 as **Exhibit A** to this declaration is a true and correct copy of an activity log I have prepared
3 showing the estimates of time I spent on various work performed in this case. The activities I
4 have performed have included, but have not been limited to: obtaining legal counsel, speaking
5 with my legal counsel on numerous occasions, over the phone, informing them of the terms and
6 conditions of my coworkers' employment, assisting them in gathering information, identifying
7 the claims brought in this case, and being actively involved in the settlement process to ensure a
8 fair result for the Class as a whole. I also spent time carefully reviewing the Settlement, and other
9 case related documents on my own and with my counsel to make sure that the Settlement and
10 other work my attorneys performed are in the best interest of the Class Members. I have regularly
11 contacted my counsel to follow the progress of the case.

12 12. Further, my counsel have advised me of the possibility that, if the case was lost, I
13 could have been ordered to pay named Defendants' costs and even attorneys' fees in this case,
14 which could have been thousands of dollars by the end.

15 13. Because I filed this lawsuit, there is a public record at the Court showing that I
16 brought a class action for unpaid wages against my former employer. The Class Representative
17 Service Payment to me of \$5,000.00 is not equal to the harm to my future career prospects that
18 this case may cause me.

19 14. Based on the time, risk, stigma, loss of benefits and income and great outcome of
20 this case, I believe that the requested Class Representative Service Payment for me is fair and
21 reasonable. As such, I respectfully request that the Court award the requested Class
22 Representative Service Payment of \$5,000.00.

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

25 Executed on September 10, 2026 in Moreno Valley, CA.

26
27
28

MARIA DE LA LUNA HUERTA,
(correct spelling: Maria De La Luz
Huerta), Declarant



SPIVAK LAW
EMPLOYEE RIGHTS

Mail:
8605 Santa Monica Bl
PMB 42554
West Hollywood, CA 90069
(213) 725-9094 Tel
(213) 634-2485 Fax
SpivakLaw.com

Office:
1875 Century Park East
Fl 7
Los Angeles, CA 90067