

1 **EXHIBIT A**

2 **DECLARATION OF EVAN S. GAINES**

3 I, EVAN S. GAINES, hereby declare and state as follows:

4 1. I am an attorney duly admitted to the practice of law in the State of California. I
5 am the owner of Gaines Law Corporation and counsel for Plaintiff Francisco Lustre (“Plaintiff”)
6 in this action. I have personal knowledge of the facts set forth herein and if called to testify to
7 them, I could and would do so competently.

8 2. On September 9, 2025, Plaintiff on behalf of himself and on behalf of all aggrieved
9 employees filed a representative complaint against Defendant LUXURY CARS - LOS GATOS,
10 LLC, a California limited liability company (“Defendant”), pursuant to the Labor Code Private
11 Attorneys General Act of 2004 (“PAGA”), Labor Code § 2698 et seq., seeking civil penalties
12 for violations of the California Labor Code.

13 3. After a review of the claims and defenses to the Action, and considering
14 Defendant’s contentions that Plaintiff has been paid all wages due and owing and maintains
15 claims that are individual to the other Aggrieved Employees, Plaintiff’s Counsel has concluded
16 that it is in all Parties’ best interest to resolve Plaintiff’s individual claims only.

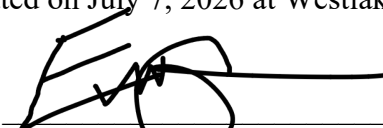
17 4. The Parties have negotiated a settlement of Plaintiff’s individual claims only, and
18 the representative PAGA claims will be dismissed *without* prejudice.

19 5. The Settlement between Plaintiff and Defendant does not contemplate the waiver
20 of any claims by anyone other than Plaintiff and does not provide for the waiver of representative
21 PAGA claims asserted on behalf of any employee or the state, such that there is no allocation of
22 civil penalties in the Settlement.

23 6. The Parties have submitted the Settlement Agreement to the LWDA in compliance
24 with Labor Code section 2699(1)(2) on July 7, 2026. Attached as **Exhibit A** is a true and
25 correct copy of the upload confirmation.

1 7. Plaintiff, therefore, requests that the Court enter a dismissal of this action *with*
2 *prejudice* as to Plaintiff's individual claims and dismissal *without prejudice* of the
3 representative PAGA action claims, pursuant to the stipulation submitted concurrently herewith.

4 I declare, under penalty of perjury, under the laws of the State of California, that the
5 foregoing is true and correct. Executed on July 7, 2026 at Westlake Village, California.

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EVAN S. GAINES