

KINGSLEY SZAMET & LY
ERIC B. KINGSLEY, Esq. (SBN 185123)
eric@kingsleylawyers.com
LIANE KATZENSTEIN LY, Esq. (SBN 259230)
liane@kingsleylawyers.com
JESSICA BULAON, Esq. (SBN 340749)
jessi@kingsleylawyers.com
16133 Ventura Blvd., Suite 1200
Encino, CA 91436
Telephone: (818) 990-8300
Fax: (818) 990-2903

Attorneys for Plaintiff and all aggrieved employees

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

JUDITH ZARATE CRUZ, an individual, on
behalf of the State of California, as a private
attorney general,

PLAINTIFF,

v.

TRI-VALLEY VEGETABLE
HARVESTING, INC.; and DOES 1 thru 50,
inclusive,

DEFENDANTS.

CASE NO. 23CV00015

[Case Assigned for All Purposes to Hon. James
F. Rigali in Dept. SM2]

**DECLARATION OF JUDITH ZARATE
CRUZ IN SUPPORT OF PLAINTIFF'S
MOTION FOR REPRESENTATIVE
ACTION SETTLEMENT**

Date: January 21, 2025

Time: 8:30 A.M.

Dept.: SM 2

Complaint Filed: January 3, 2023

Trial Date: None Set

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I, Judith Zarate Cruz, state and declare as follows:

1. I am a competent adult, over the age of eighteen and the Plaintiff in the matter of JUDITH ZARATE CRUZ, an individual, on behalf of the state of California, as a private attorney general, v. TRI-VALLEY VEGETABLE HARVESTING, INC; and DOES 1 thru 50, inclusive, Santa Barbara County Superior Court, Case No. 23CV00015. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto. I am making this sworn declaration in support of my claims and the claim of my co-workers, and in support of my qualifications as named Plaintiff. If called as a witness, I could and would competently testify as to the truth of the matters set forth herein.

2. I worked as non-exempt employee paid on a piece-rate basis for Tri-Valley Vegetable Harvesting, Inc. (“Defendant” or “Tri-Valley”).

3. As an employee of Defendant, I regularly did not receive ten-minute paid rest periods for every major fraction of four hours that I worked. I was also not provided with proper reimbursement for necessary business expenditures, including travel time and personal cell phone usage. Defendant failed to provide me with accurate wage statements that showed total hours worked and all applicable hourly rates in effect during the pay period. Lastly, Defendant failed to provide me with a copy of my personnel file and pay records when requested.

4. I have spent significant time throughout this action working with Plaintiff's Counsel. Before filing this action, on January 3, 2023, I researched and identified Counsel that I believed could best represent the interests of the Aggrieved Employees. I also assisted the attorneys with investigation and gathering of information including discussing my work experience and the experience of others that I had observed while working for Tri-Valley and provided all relevant employment documents in my possession. In addition, I attended a full-day mediation on June 27, 2024. While at the Mediation, I actively participated in the discussions with the Plaintiff's Counsel and shared my knowledge and insights in order to help the Aggrieved Employees obtain a favorable settlement.

5. Throughout the entirety of this litigation, I have maintained regular contact with

1 Plaintiff's Counsel and assisted in any way possible by providing information and making myself
2 available as needed.

3 6. I was aware that by helping to initiate this lawsuit, my name would become known
4 and it was possible that my involvement in this matter could make it more difficult for me to obtain
5 employment in this field. Regardless, I believed it was important to proceed with this matter on
6 my behalf and on behalf of all others who were subject to the same problems during their
7 employment with Tri-Valley.

8 7. Based upon my participation in this case, I understand the merits of this settlement
9 and I strongly support the settlement and believe it is fair and reasonable, and in the best interest
10 of the aggrieved employees. I believe this Settlement will benefit the Aggrieved Employees.

11 8. It is my opinion that a fair and adequate Service Enhancement for me as named
12 Plaintiff is \$5,000.00. I believe that it is fair and reasonable in view of all of the work I have
13 performed in my role as named Plaintiff. As named Plaintiff, I actively participated in all stages
14 of the litigation as detailed above and have always maintained the best interest of the Aggrieved
15 Employees while performing my named Plaintiff duties.

16
17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct. Executed this 22 day of November, 2024
19 at Santa Maria, California.

20 
21 Judith Zarate Cruz
22 Declarant
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(PROOF OF SERVICE)
[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On December 5, 2024, I served all interested parties in this action the following documents described as: **DECLARATION OF JUDITH ZARATE CRUZ OF PLAINTIFF'S MOTION FOR APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

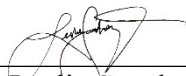
Rafael Gonzalez
rgonzalez@mullenlaw.com
Brian T. Daly
bdaly@mullenlaw.com
Christina M. Behrman
Cbehrman@mullenlaw.com
Sean T. Stratford-Jones
Sstratford-jones@mullenlaw.com
MULLEN & HENZEL LLP
112 E Victoria St.
Santa Barbara, CA 93101

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] (BY ELECTRONIC MAIL TRANSMISSION): I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the above email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 5, 2024, at Chino, California.



Leslie Sanchez