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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 RIVERSIDE

CARLOS FLORES, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

NIKKISO AMERICA, INC., a Delaware
Corporation; ACD, LLC, a California
Limited Liability Company; CRYOGENIC
INDUSTRIES, INC., a Delaware
Corporation; CRYOGENIC INDUSTRIES
SERVICE COMPANIES, LLC, a
California Limited Liability Company;
CRYOQUIP, LLC, a California Limited
Liability Company; COSMODYNE, LLC,
a California Limited Liability Company;
and DOES 1 through 20, inclusive;

Defendants.

Case No.: CVRI2204626
*[Assigned to Hon. Harold Hopp, Dept 1, for all
purposes]*

**DECLARATION OF PLAINTIFF CARLOS
FLORES IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Hearing

Date: June 18, 2024

Time: 8:30 a.m.

Dept.: 1

1 I, Carlos Flores, state and declare:

2 1. I am the Plaintiff in the above captioned action and have personal knowledge of
3 all matters stated herein and could competently testify thereto. I make this declaration in support
4 of the motion for preliminary approval of the class action settlement. I believe that the settlement
5 is fair and reasonable and constitutes a fair resolution of the claims alleged.

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

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

23 4. Additionally, I believe that my claims are typical of the other employees (the class
24 members) because we were all subjected to the same uniform practices of the company in regard
25 to payment of wages, calculation of the regular rate of pay and overtime, meal and rest breaks,
26 vacation pay, wage statements, along with other issues.
27
28

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

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on May 23, 2024, at Garden Grove, California.

By: carlos flores
carlos flores (May 23, 2024 21:34 PDT)

Carlos Flores