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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

MARIO ALVARADO, an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

RED POINTE ROOFING, L.P., a California
Limited Partnership; and DOES 1 through
100,

Defendants.

CASE NO. 30-2022-01286100-CU-OE-CXC

*[Case assigned for all purposes to the Hon.
Melissa R. McCormick, Dept. CX104]*

**DECLARATION OF MARIO
ALVARADO IN SUPPORT OF
APPROVAL OF CLASS ACTION
SETTLEMENT**

Reservation: 74224946

Date: May 30, 2024

Time: 2:00 p.m.

Dept.: CX104

Action Filed: October 12, 2022

Trial Date: None Set

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I, Mario Alvarado, declare as follows:

1. I am an individual over the age of 18 and am the named Plaintiff in this matter.

This declaration is submitted in support of approval of the proposed class action settlement (“Settlement”) reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

2. I worked for Red Pointe Roofing, L.P. ("Red Pointe") in California from approximately October 4, 2021, to July 31, 2022. During my employment, Red Pointe paid me based on my scheduled hours, not the actual hours I worked. Specifically, I had to arrive at the worksite at least 30 minutes before my scheduled shift time so that I could prep my tools, put on my protective equipment, organize my work area, and perform a safety check. Once all of those tasks are completed, I would be ready to begin work at my scheduled shift time. I was not allowed to include this pre-shift time on my timesheets. I do not believe I was paid for all the time I spent performing my work duties. Additionally, I was not paid correctly for all of my time when I worked over 12 hours in a day.

3. I generally started work around 6:30 am each day. I would regularly not be able to take my lunch break until around 12:00pm. I was also interrupted during my lunch break and told to return to work. I also was not allowed to take any 10-minute rest periods during my workday.

4. I was required to use my personal cell phone to speak with my supervisors and discuss project changes and directions to job sites. Red Pointe did not pay me any money for using my personal cell phone. I also was required to purchase tools like soldering guns, helmets, and ladders which Red Pointe did not reimburse me for.

5. I started this lawsuit against Red Pointe because I wanted Red Pointe to comply with the law and treat its employees fairly. I feel that I have taken on a greater burden than any of the other Red Pointe employees because it is my name that is attached to the lawsuit. Even though I understood that this lawsuit would be a public record, I accepted that burden for the benefit of Red Pointe's other workers.

6. I have been actively involved in this case since before it was filed. Some of the tasks I have performed include, gathering relevant documents for use in the lawsuit, providing factual information regarding the claims and Red Pointe's practices to my attorneys, and helping identify other employees who also experienced the same issues that I did. I also made myself available to my attorneys for the entire day of mediation. I estimate that I have spent at least 15 to 20 total hours on activities leading to the resolution of this matter.

I declare under penalty of perjury under the laws of the state of California and the United States that the foregoing is true and correct. Executed on November 10, 2023, in Anaheim, California.


Mario alvarado (Nov 10, 2023 15:28 PST)

Mario Alvarado