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Attorneys for Plaintiff and on behalf of the Proposed Class

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

EMILIO ROSAS, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

FURNITURE AVE, INC., a California
Corporation; FURNITURE AVE CITY, a
California Corporation; FURNITURE
CITY WEST, a California Corporation;
FARIS ESCHEIK, an individual; FAWZI
SAED, an individual; OMAR RAHMAN,
an individual; and DOES 1 through 20,
inclusive;

Defendants.

Case No.: 30-2022-01284958-CU-OE-CXC
*[Assigned to Hon. Randall J. Sherman, Dept
CX105, for all purposes]*

**DECLARATION OF PLAINTIFF EMILIO
ROSAS IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL**

Hearing

Date: May 31, 2024

Time: 10:00 a.m.

Dept.: CX105

Complaint filed: October 7, 2022

I, Emilio Rosas, state and declare:

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

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

9 3. Since first initiating this action on behalf of the proposed class, I believe that I
10 have more than adequately performed my duties as a class representative. I have been an active
11 participant in this litigation, including assisting my attorneys in various ways and making myself
12 available when needed, as well as proactively updating my attorneys when I found out new
13 information, such as notifying them of store closures and relocation of relevant documents. For
14 example, I have assisted my attorneys by compiling and analyzing substantial documentation
15 regarding the claims in this case. I have also helped to explain and discuss the company’s
16 practices and their general practices and procedures, locating and analyzing company documents,
17 among others. I have also reviewed all settlement documents and believe that this settlement is
18 fair for the class. Finally, I will continue to take all steps necessary to finalize this settlement and
19 obtain court approval.

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

22 5. I respectfully request that the court preliminarily approve the service award. As
23 outlined above, I have performed substantial services for the Class and helped obtain a highly
24 beneficial settlement for my fellow employees. And I have also agreed, as part of this Class
25 action settlement, to waive all of my claims against the company as part of this settlement and in
26 exchange for the service award – which goes well beyond the release given by other class
27 members. At the final approval stage, I will submit an additional declaration setting forth all the
28 work I did for this case, including an estimated number of hours spent assisting the Class and my

1 attorneys.

2 I declare under penalty of perjury under the laws of the State of California that the
3 foregoing is true and correct. Executed on Feb 7, 2024, at Santa Ana, California.

4
5 By: Emilio Rosas III
Emilio Rosas III (Feb 7, 2024 13:43 PST)
6 Emilio Rosas