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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 MOTION FOR
FINAL APPROVAL**

Hearing

Date: January 17, 2025

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

3 3. I was employed by Defendants from approximately December 2019 to August
4 2022. During my employment with Defendants, there were several issues that concerned me and
5 which I thought did not comply with California law, such as not being paid properly and not
6 getting proper meal periods and rest breaks. As a result, I retained Lauby, Mankin & Lauby LLP
7 to move forward with a case because I did not think that I or the other employees were being
8 treated correctly.

9 4. After retaining my attorneys, I understood that I had two options: I could pursue
10 my individual case – including claims for discrimination and wrongful termination (as discussed
11 below) – and attempt to maximize my personal recovery, or I could bring a class/representative
12 action and put the interests of the class ahead of my own. The decision of whether to bring my
13 individual claims or to bring a class action put me in a tough spot, because on the one hand, I
14 wanted to hold the company accountable for how they treated me and, on the other hand, I
15 wanted to help other employees that were not paid correctly. And I knew that, if I wanted to
16 bring a class action, I would need to put the interests of the class first to better serve the class. In
17 the end, in the interest of helping all employees that were subjected to the wage violations, I
18 decided to help everyone by bringing a class/representative action.

19 5. Since first initiating this action, I estimate that I have spent at least forty-five (45)
20 hours engaged in activities to benefit the class. I have assisted my attorneys in numerous ways,
21 including helping to explain and discuss the company's practices and their general practices and
22 procedures, locating and analyzing company documents, and communicating with other class
23 members. These efforts occurred through numerous meetings with Class Counsel, telephone
24 conferences, letters, emails, and text communications. I also assisted in preparation for mediation
25 and helped obtain a positive result for the class.

26 6. I also believe that the requested service award is fair and reasonable given that I
27 have faced substantial risks and made numerous sacrifices to obtain this class action settlement.
28

7. For example, filing this lawsuit and being a whistleblower was stressful on a day-to-day basis as I have constantly worried about the risk that this could impact my ability to find future jobs. I was worried that filing the case may get me labeled as a whistleblower, resulting in retaliation and difficulty finding work for the rest of my career.

8. I believe that request for the \$7,500 service award is justified based on (a) the time I have spent on the case, which resulted in a good settlement for the class, (b) the risks I took in bringing this case, which I believe my ability to find future work will be impacted, and (c) my agreement to waive all of my individual claims in exchange for the requested service award.

9. I respectfully request that the Court approve this class action settlement. I agreed to set aside my personal interests, and to put the interests of the class ahead or on par with my own. In doing so, and by successfully bringing this case as a class action, I helped to obtain a highly beneficial settlement for the class members.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on Nov 21, 2024, at Santa Ana, California.

By:

Emilio Rosas (Nov 21, 2024 08:39 PST)

Emilio Rosas