

HAINES LAW GROUP, APC

Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
Sean M. Blakely (SBN 264384)
sblakely@haineslawgroup.com
Joel M. Gordon (SBN 280721)
jgordon@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE

ARMANDO GARCIA-AVILA, as an
individual and on behalf of all others
similarly situated,

Plaintiff,

v.

ORANGE COUNTY ERECTORS, INC., a
California Corporation; and DOES 1 through
100,

Defendants.

Case No.: 30-2022-01284202-CU-OE-CXC

*[Assigned for all purposes to the Honorable
Melissa R. McCormick, Dept. CX104]*

**DECLARATION OF PLAINTIFF
ROBERTO RINCON LOPEZ IN SUPPORT
OF MOTION FOR PRELIMINARY
APPROVAL CLASS ACTION
SETTLEMENT**

Date: May 1, 2025
Time: 2:00 p.m.
Dept.: CX104

Reservation No.: 74261857

Complaint Filed: October 5, 2022
Trial Date: None Set

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

1. I am an individual over the age of 18 and am one of the named plaintiffs 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.

3. During my employment with Orange County Erectors, I do not believe I was paid all wages due to Orange County Erectors' timekeeping system. I clocked in and out through the timekeeping system, however, I believe Orange County Erectors failed to pay me for all hours I actually worked. I often did not receive a lunch break until after the end of my fifth hour of work due to Orange County Erectors' meal period schedules. I was also not able to take a second lunch break or a third rest break when I worked more than 10.0 hours. As a result of these violations, it is my understanding that I was not paid all final wages owed to me when I stopped working for Orange County Erectors and was provided with inaccurate wage statements.

4. I have been actively involved in this case since I first retained Haines Law Group, APC (“HLG”) in the summer of 2023. Without waiving the attorney-client privilege, prior to joining this lawsuit, my attorneys explained my role and responsibilities as a Class Representative, and I understand my responsibilities as a Class Representative. Since retaining my attorneys, I have had many discussions with the attorneys and staff at HLG, including discussions regarding Orange County Erectors’ wage and hour practices and my claims in this case, potential witnesses, the mediation, and how I could help the case and potential Settlement Class members. I also gathered and reviewed documents for use in the lawsuit and reviewed relevant documents with my attorneys, including reviewing the Settlement Agreement. I estimate

1 that I have spent at least 20-25 hours on this case from the time I first spoke with my attorneys
2 regarding this case until the present. I also understand that as part of the Settlement, I have agreed
3 to a general release of claims against Orange County Erectors, which is broader than the release
4 of claims agreed to by other Settlement Class members.

5 5. When I joined this lawsuit, I understood that this lawsuit could benefit former and
6 current employees by helping to recover their unpaid wages, unpaid meal and rest period
7 premiums, and other penalties. I knew there was a risk that I could be liable for Orange County
8 Erectors' costs if we lost the case. I accepted this risk because I wanted Orange County Erectors
9 to pay its current and former employees for their unpaid wages and penalties. Even though I
10 understood that joining a lawsuit is a public record, I accepted that burden in order to help former,
11 current, and future employees. As far as I am aware, I have no actual or potential conflicts with
12 any of the Settlement Class members.

13 6. I understand that my attorneys will request that the Court approve a Class
14 Representative Enhancement Payment of \$7,500.00 for my efforts on behalf of the Settlement
15 Class. I believe this amount is reasonable based on the amount of time and effort I have devoted
16 to this case and the risks I have undertaken as a class representative, and my general release of
17 claims, as described above. My support for the Settlement is not contingent on me receiving this
18 enhancement payment.

19 I declare under penalty of perjury under the laws of the State of California and the United
20 States that the foregoing is true and correct. Executed on Mar 28, 2024, 2024 in
21 Anaheim, California.

22
23 
Roberto Rincon (Mar 28, 2024 11:00 PDT)

24 Roberto Rincon Lopez
25
26
27
28