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Attorneys for Plaintiff CRISTIAN MONTOYA

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CRISTIAN MONTOYA, on behalf of the
State of California, the Labor & Workforce
Development Agency, as a private attorney
general, and on behalf of all aggrieved
employees,

Plaintiff,
v.

GRECO ENTERTAINMENT GROUP,
INC., a California corporation; 2454
WILSHIRE RESTAURANT, LLC, a
California limited liability company; 2460
WILSHIRE RESTAURANT LLC, a
California limited liability company; and
DOES 1-100, inclusive

Defendants

Case No.: 23STCV00656

Assigned for All Purposes to:
Hon. Mel Red Recana
Dept. 45

DECLARATION OF CRISTIAN MONTOYA

Date: July 17, 2024
Time: 8:30 a.m.
Dept. 45

Reservation ID: 683678529442

1 I, Cristian Montoya, declare as follows:

2 1. I am an adult over the age of eighteen (18) years old. I am the Named Plaintiff who
3 filed the above-captioned lawsuit. I have personal knowledge of the facts set forth in this
4 declaration. I make this declaration in support of Plaintiff's Motion for Preliminary Approval of
5 Class Action Settlement.

6 2. I've been employed by Defendants as a cook since October 2021, and generally
7 work 8-9 hours per day, 4-5 days per week. While working there I don't think I've been paid for
8 all of my time, as sometimes I have to continue working after clocking out in order to completely
9 finish the day's work, make sure the kitchen and restaurant are thoroughly cleaned, all equipment
10 is clean and put away, etc. I also don't think I received all of my lunch and rest breaks, as
11 sometimes I didn't get a lunch or a break at all. I had to use my own phone to respond to calls and
12 texts from the restaurant, and I also believe that tips were given to supervisors or used by the
13 restaurant instead of going to regular employees.

14 3. I decided to bring this lawsuit because I did not feel that I was treated fairly as an
15 employee of Defendants, especially with regard to not being paid properly for all the hours I
16 worked, as well missed meal and rest breaks and not getting any expense reimbursement. As a
17 result, I believe the class members and myself are owed additional compensation for all of the
18 time we worked that was not paid for by Defendants, as compensation for not getting all our
19 breaks, and to pay for our expenses.

20 4. It is my understanding this lawsuit could not have been prosecuted or settled unless
21 I or some other employee decided to serve as a named plaintiff and pursue the case. In deciding to
22 serve as a named plaintiff, I understood that my name would be publicly attached to this lawsuit
23 and that my work experiences to some extent would be set forth in a public court file. I recognized
24 that I would need to devote a certain amount of time that I could have spent otherwise. I also
25 recognized that my bringing the lawsuit carried some degree of risk. Despite this, I decided to
26 serve as the named plaintiff without any promise of recovery or compensation.

5. I am familiar with the work involved in prosecuting this case. I have participated in numerous meetings and communications with my lawyers regarding this case. I am familiar with the allegations and defenses of the claims in this case. I am familiar with the major events in this case, including the investigation performed by my lawyers, the mediation with Defendant that resulted in this settlement, and the preparation of settlement papers and the need to obtain court approval of the proposed settlement. I participated in all stages of the litigation and provided my lawyers with information and documents regarding my employment with Defendant.

6. I believe that the proposed settlement obtained on behalf of the other employees is excellent in view of the issues and risks involved with the case.

7. I believe I have fulfilled my duties as a named plaintiff and class representative, which required a significant amount of time and effort during the course of this case. These efforts required dedicating numerous hours to lawsuit activities including, but not limited to:

(a) communicating with my attorneys to stay informed of ongoing developments in the case and to discuss the proposed settlement; (b) searching for and providing documents and other materials relating to my work experience; (c) responding to requests for information relating to my work experience; and (d) reviewing filings and key documents including drafts of the complaint and the settlement agreement. These tasks required my dedication of at least 20 hours of my time, which time I honestly could have spent on family, personal time, or work. My understanding is that future tasks may require several more hours of my time. I believe I have been diligent and that I have acted above and beyond that of which is expected of a named plaintiff to date and will continue to do so.

8. It is my opinion that \$10,000.00 is a fair and adequate award for my service as the named plaintiff for the unpaid wage and missed lunch/rest breaks claims that were brought in the lawsuit. I believe that amount is fair and reasonable in view of the work I have and will continue to perform on behalf of the other employees, and because I'm the only person who is waiving all claims against Defendants. I believe that my role in this lawsuit has resulted in a valuable benefit to the other employees, and I accepted the potential risk of being liable for the opposing parties'

1 costs if we were unsuccessful in this lawsuit. I believed in this case, so I was willing to be the
2 named plaintiff to risk this and pursue this class action. I also accepted the risk that news of this
3 lawsuit could also potentially impact my ability to secure other work.

4 9. Based on the time, service, risk, stress, potential stigma, loss of benefits and
5 excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

6 I declare under penalty of perjury under the laws of California that the foregoing is true
7 and correct. Executed on 05 / 14 / 2024, at Santa Monica, California.
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12 Cristian Montoya
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