

MAKAREM & ASSOCIATES, APLC

Ronald W. Makarem, Esq. (SBN 180442)

makarem@law-rm.com

Marcus Jackson, Esq. (SBN 205792)

jackson@law-rm.com

Daniel J. Bass, Esq. (SBN 287466)

bass@law-rm.com

11601 Wilshire Boulevard, Suite 2440

Los Angeles, California 90025-1760

Phone: (310) 312-0299; Fax: (310) 312-0296

Attorneys for Plaintiff JORGE HERNANDEZ ZULUAGA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

JORGE HERNANDEZ ZULUAGA, an
individual,

Plaintiff,

vs.

SOLARIS TRADING CORPORATION, a
California corporation and DOES 1-20,
inclusive,

Defendants.

Case No.: 20STCV48213

**DECLARATION OF JORGE
HERNANDEZ ZULUAGA IN SUPPORT
OF PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: August 16, 2023

Time: 10:30 a.m.

Dept: SSC 12

Judge: Carolyn Kuhl

Complaint Filed: December 17, 2020

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DECLARATION OF JORGE HERNANDEZ ZULUAGA

I, JORGE HERNANDEZ ZULUAGA, declare:

1. My name is JORGE HERNANDEZ ZULUAGA, and I am over the age of 18. I am the Named Plaintiff who filed the above-captioned lawsuit. I have personal knowledge of the facts contained herein, and if called as a witness, could and would competently testify to the following matters.

2. I understand that this declaration is submitted in support of Plaintiff’s Motion for Final Approval of Class Action Settlement.

3. I worked for Defendant SOLARIS TRADING CORPORATION as a non-exempt, hourly employee. During my employment, I was subject to the same policies and procedures as all other hourly which were alleged in this case.

4. While working for Defendant, I did not believe I received all of my compliant meal and rest periods and did not believe I was properly compensated for the time I worked. Based on these facts, I decided to bring this lawsuit and agreed to act as the class representative in this matter. I understood that I could bring my own individual wage claims but decided that it would be best for other current and former employees of Defendant if I acted as their representative.

5. In other words, I chose to forego bringing my wage claims individually, which could have been resolved much earlier, in order to help benefit other class members. Waiting for a settlement in this case has been a hardship for me. Also, acting as the class representative and as a Plaintiff in a lawsuit against my former employer was a personal sacrifice that I was willing to take for the benefit of the other employees of Defendant as it is my understanding this lawsuit could not have been prosecuted or settled unless I or some other employee decided to serve as a named plaintiff and pursue the case. In deciding to serve as a named plaintiff, I understood that my name would be publicly attached to this lawsuit and that my work experiences to some extent would be set forth in a public court file. I recognized that I would need to devote a certain amount of time that I could have spent otherwise. I also recognized that my bringing the lawsuit carried some degree of risk. Despite this, I decided to serve as the named plaintiff without any promise of recovery or

1 compensation.

2 6. I am familiar with the work involved in prosecuting this case and did a number of
3 things to assist my attorneys in this case. Specifically, I met with the attorneys before the lawsuit
4 was filed and discussed my experience working for Defendant at length. I also searched for all
5 documents I had related to my employment with Defendant. During the litigation I remained in
6 close contact with my counsel and engaged in numerous telephone conversations regarding the
7 claims in the case and Defendants' defenses to those claims. I also assisted my attorneys in
8 preparation for mediation and appeared at mediation for this matter. I also had numerous
9 conversations with my counsel regarding the potential of the lawsuit, as well as the terms of the
10 ultimate Settlement Agreement which I reviewed the drafts and versions thereof.

11 7. I believe I have fulfilled my duties as a named plaintiff and class representative,
12 which required a significant amount of time and effort during the course of this case. In total, over
13 the course of the several years of this lawsuit, I have spent between 50-60 hours working on the case
14 for the benefit of myself and the other members of the class. These efforts required dedicating
15 numerous hours to lawsuit activities including, but not limited to: (a) communicating with my
16 attorneys to stay informed of ongoing developments in the case; (b) searching for and providing
17 documents and other materials relating to my work experience; (c) responding to requests for
18 information relating to my work experience; (d) assisting in the preparation of settlement discussions
19 and mediation; (e) attending mediation with my counsel; and (f) participating in the settlement
20 discussions and reviewing filings and key documents including drafts of the complaint, the
21 settlement agreement, and notices. I believe I have been diligent and that I have acted above and
22 beyond that of which is expected of a named plaintiff to date and will continue to do so.

23 8. I believe that the proposed settlement obtained on behalf of the other employees is
24 excellent in view of the issues and risks involved with the case. Based on my counsel's
25 recommendations in this case and my understanding of the risks and costs associated with trial, I
26 believe the settlement achieved is fair and reasonable and in the best interests of the aggrieved
27 employees in this case.

9. I also believe the Service Enhancement payment being requested on my behalf is fair and reasonable. I chose to forego pursuing my wage and hour claims individually to obtain a benefit on behalf of others. In doing so, I had to postpone receiving proper compensation from the Defendants, take time and risks that other current and former employees did not, and had to be a party to a lawsuit that is stressful due to the litigation itself and fear that other future employers may find out about this case. I also had to execute a general release of all claims against Defendants, including waiving all rights under California Civil Code section 1542, which is something other class members did not have to do.

10. I will continue to assist my counsel and my fellow class members as this case progresses forward and am ready and able to serve as the class representative in this action regardless of outcome or burden placed on me to do so.

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

12. As stated in my prior declaration, it is my understanding that as part of the settlement, the parties have designated Justice Gap Fund as the cy pres recipient of any uncashed checks. Also as stated before, I do not currently, and have not previously, had any interest or involvement in the finances, governance or work of Justice Gap Fund.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 07 / 20 / 2023 in Van Nuys, California.

By: Jorge E Hernandez

JORGE HERNANDEZ ZULUAGA