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8 Attorneys for Plaintiff,

9 ARNULFO CONTRERAS

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF ORANGE**

12 **(UNLIMITED JURISDICTION)**

13 ARNULFO CONTRERAS,

14 *Plaintiff,*

15 vs.

16 SURF CITY TSP, LP; MICHAEL
17 LINLEY, an individual; and DOES 1 to 25,
18 inclusive,

19 *Defendants.*

Case No.: 30-2023-01326722-CU-OE-CXC

**DECLARATION OF ARNULFO
CONTRERAS IN SUPPORT OF
PLAINTIFF'S MOTION FOR APPROVAL
OF PAGA SETTLEMENT**

*Assigned for All Purposes to
Hon. Layne H. Melzer, Department CX102*

Action filed: 5/18/2023
Hearing Date: 1/22/26
Hearing Time: 2:00pm
Hearing Dept: CX102

DECLARATION OF ARNULFO CONTRERAS IN SUPPORT OF
MOTION FOR APPROVAL OF PAGA SETTLEMENT

I, ARNULFO CONTRERAS , declare and state as follows:

1. I am a resident of the State of California and am over 18 years of age. I am the named Plaintiff in this action and am represented by Harout Messrelian of Messrelian Law Inc. in this action. Except as otherwise stated, I have personal knowledge of all matters set forth in this declaration and could and would competently testify thereto if called upon to do so as a witness.

2. I first started working for Defendants in or around in or around April 2022 as a dishwasher and general helper at "Sandy's Beach Shack" located at 315 Pacific Coast Hwy, Huntington Beach, CA 92648. My employment with Defendants ended on or around December 2022.

3. I understand that this lawsuit contains a Private Attorney General action, otherwise known as a PAGA lawsuit. I understand that I am the Plaintiff and that Defendants Surf City TSP, LP and Michael Linley (collectively "SURF CITY") are the Defendants. I understand that my name is on the cover of the lawsuit. I understand that I am the representative of other SURF CITY employees. As the representative in this lawsuit, I have duties to the State of California and other employees like me who were not provided all required meal and rest periods. I also understand that my lawsuit is on behalf of the State of California. I have fairly represented the other employees and the State throughout this lawsuit. I don't have any disagreements with the other SURF CITY employees I represent. I am not aware of any reason why I can't make the best decisions for them in this lawsuit.

4. When I agreed to hire my attorneys to file this lawsuit, I also agreed that I would be the representative of the other employees and the State of California. I agreed that the interests of the other employees and the State in the lawsuit are as important as my personal interests in suing SURF CITY. I agreed that I would do what is in the best interest of the other employees and the State when deciding whether or not to settle this lawsuit. I also agreed to actively participate in the lawsuit. I also understand that there will only be a settlement of the lawsuit if the Court allows it.

5. The PAGA statute does not forbid service awards. Courts frequently award them in PAGA-only cases as well. The work I have done on this case includes hiring my attorneys,

1 communicating with my attorney's office on many occasions by phone, explaining what my
2 employment at SURF CITY was like, explaining what my employment at SURF CITY had in
3 common with other employees who worked for SURF CITY, explaining my claims to my
4 attorneys, participating in the mediation process, and communicating with my attorneys about
5 the settlement agreement and related documents. Despite this, I am **not** asking for a service
6 award for my involvement and the time I spent assisting my counsel with the PAGA action.

6 6. I negotiated an individual settlement of my individual wage and hour claims after
7 the Parties had agreed to the Settlement of the PAGA action.

8 7. As part of my individual settlement, I signed a general release of all claims,
9 whether known or unknown, that I may have against Defendants, not only PAGA claims.

10 8. I don't believe that my individual settlement has any bearing on whether I have
11 served the Aggrieved Employees' best interests and will continue to do so.

12 I declare under the penalty of perjury of the laws of the State of California that the
13 foregoing is true and correct to the best of my knowledge.

14 Executed on August ^{5th} ~~8/5/2020~~ 2025 at Huntington Beach, California.

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17 ARNULFO CONTRERAS,
18 Declarant