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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

LUIS CABALLERO, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

AMERICAN METAL FILTER COMPANY,
a California Corporation; and DOES 1
through 20, inclusive;

Defendants.

Case No.: 37-2022-00050163-CU-OE-CTL
*[Assigned to Hon. Wendy M. Behan, Dept C-
66, for all purposes]*

**DECLARATION OF PLAINTIFF IN
SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

I, Luis Caballero, 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 preliminary approval of the class action settlement. I believe that the settlement is fair and reasonable and constitutes a fair resolution of the claims alleged.

2. When I first retained my attorneys (Lauby, Mankin & Lauby and Malatesta Law), I chose to pursue this case on a class action basis rather than as an individual claim. In that

1 regard, I understood that I had specific burdens as the “Class Representative,” which included:
2 (a) representing the interests of all class members, (2) considering the interests of all class
3 members above my own personal interests, (3) participating actively in the lawsuit, including
4 potential testimony at deposition and trial, and keeping generally aware of the status and
5 progress of the lawsuit. Moreover, I understood that any resolution of the lawsuit is subject to
6 court approval and must be designed in the best interests of the class as a whole.

7 3. Since first initiating this action on behalf of the proposed class, I believe that I
8 have more than adequately performed my duties as a class representative. I have been an active
9 participant in this litigation, including assisting my attorneys in various ways and making myself
10 available when needed. For example, I have assisted my attorneys by compiling and analyzing
11 substantial documentation regarding the claims in this case. I have also helped to explain and
12 discuss the company’s practices and their general practices and procedures, locating and
13 analyzing company documents, among others. I have also reviewed all settlement documents and
14 believe that this settlement is fair for the class. Finally, I will continue to take all steps necessary
15 to finalize this settlement and obtain court approval.

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

18 5. I respectfully request that the court preliminarily approve the service award. As
19 outlined above, I have performed substantial services for the Class and helped obtain a highly
20 beneficial settlement for my fellow employees. And I have also agreed, as part of this Class
21 action settlement and in connection with the individual settlement I have agreed to with the
22 company, to waive all of my claims against the company as part of this settlement and in
23 exchange for the service award – which goes well beyond the release given by other class
24 members. At the final approval stage, I will submit an additional declaration setting forth all the
25 work I did for this case, including an estimated number of hours spent assisting the Class and my
26 attorneys.

27 ///

28 ///

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed on Sep 10, 2024, at San Diego, California.

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4 By: 
5 Luis Caballero (Sep 10, 2024 11:06 PDT)
6 Luis Caballero
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