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13 *Attorneys for Plaintiffs & Putative Class*

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF TULARE**
16 **(UNLIMITED JURISDICTION)**

17 MAYNOR HERRERA, RODRIGO RUIZ
18 GARCIA, and PEDRO CORONA on behalf
19 of themselves and others similarly situated,

20 Plaintiffs,

21 vs.

22 JAMES JONGSMA DAIRY; JESSE &
23 JAMES JONGSMA DAIRY G.P. a general
24 partnership; JAMES JONGSMA,
25 individually; JESSE JONGSMA, individually;
26 and DOES 1 through 50, inclusive,

27 Defendants.

Case No. VCU296028

Hon. Bret Hillman

**DECLARATION OF PLAINTIFF
RODRIGO RUIZ GARCIA IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: September 24, 2024

Time: 8:15 a.m.

Dept: 2

28 I, Rodrigo Ruiz Garcia, make the following statement based on my personal knowledge:

1. I am one of the Plaintiffs of this case. I filed this lawsuit on behalf of myself and co-workers employed by James Jongsma Dairy; Jesse & James Jongsma Dairy G.P., a general partnership; James Jongsma; and Jesse Jongsma (collectively as "Defendants"). We allege that we were not paid for all our overtime wages, meal break premiums, rest break premiums, and were not reimbursed for work boots that were necessary to do our jobs.

1 2. I worked for Defendants from approximately 2014 to April 2022. I performed many
2 duties at the dairy including milking the cows, maternity and I was also a pusher. As a milker, we
3 had to milk several cow pens before the end of our shift.

4 3. I had my first conversation with attorney Enrique Martinez in August 2022. We
5 talked about James Jongsma Dairy's practice of not giving workers lunches on time and no breaks,
6 and of not paying us premiums for these violations. I explained how we would take our lunch after
7 working more than five hours. I also explained that we were not authorized to take breaks because
8 of the amount of work we had. I also explained how we were not reimbursed for the rubber boots
9 we were required to purchase in order to protect ourselves from health hazards on the job such as
10 excessive water, sick cows and chemicals. We also wanted to prevent ourselves from any injuries.

11 4. I met with Mr. Martinez and other co-workers within several weeks of our first
12 discussion. Attorney Martinez explained our legal options and my understanding was that if I
13 pursued the case with only a few co-workers, it would likely get resolved sooner. I decided to file
14 the case as a class action, and not individually, because I believed the company was violating the
15 rights of all the workers, and not only my rights. I wanted to help improve the working conditions
16 for the dairy workers laboring at Defendants' dairies.

17 5. I understood there were risks involved in a class action lawsuit. However, I still
18 decided to go forward as a class despite not knowing how long the lawsuit could go on. We were
19 interested in moving forward together to have a greater impact on our working conditions. I
20 accepted the risk that I might be responsible for some or all of Defendants' legal costs in this
21 matter if we did not settle or win our case. I was afraid that I would be blacklisted from future jobs
22 because the dairy industry is small and well connected.

23 6. As a class representative, I have been very active in the case and the process. I
24 responded to many calls from Attorney Martinez's staff. I met with Attorney Martinez on a
25 number of occasions to prepare for discovery and mediation. I also provided him with documents
26 regarding my pay and hours worked. I also traveled from Pixley to Visalia on December 7, 2023 to
27 participate in mediation with the Defendants. I feel that my participation contributed to eventually
28 getting the case resolved.

7. I motivated my co-workers to attend the meetings with Mr. Martinez, including one at my home. As class representative, I worked hard to make sure other workers attended our meetings and participated in the lawsuit. In fact, I continue contributing to the case by making sure people are aware of the status of the litigation.

8. Regarding the proposed *cy pres* recipient, Visalia Rescue Mission, I have never been involved with Visalia Rescue Mission in any way, including its governance and work.

9. As part of the Settlement Agreement, I agreed to sign a general release with a California Civil Code Section 1542 waiver of any and all claims I might have against the Defendants.

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct.

Executed this August 26, 2024 in Pixley, California

By: Rodrigo Ruiz
Rodrigo Ruiz (Aug 26, 2024 14:06 PDT)
Rodrigo Ruiz Garcia
Plaintiff

I, Alma Villalobos, am fluent in English and in Spanish. On August 26, 2024, I read the foregoing to Rodrigo Ruiz Garcia by accurately translating it from English to Spanish.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 26, 2024 at Oakland, California.

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Alma Villalobos