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Attorneys for Plaintiff JASON A. RODRIGUEZ
on behalf of the general public as private attorney general

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF KERN

JASON A. RODRIGUEZ, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

FAMILY DOLLAR, INC., a North Carolina
Corporation and DOES 1-50, inclusive,

Defendant.

Case No.: BCV-23-100786

**DECLARATION OF PLAINTIFF JOSEPH
RIOS IN SUPPORT OF MOTION TO
APPROVE PAGA SETTLEMENT**

JUDGE: Hon. Thomas S. Clark

Date: July 10, 2024

Time: 10:00 a.m.

Dept.: 17

DECLARATION OF JOSEPH RIOS

I, Joseph Rios, hereby declare as follows:

1. I am an individual over the age of eighteen. I have personal knowledge of the facts stated in this declaration and could and would testify to those facts if called upon to do so.

2. I am one of the Plaintiffs in the current lawsuit. I am submitting this declaration in support of Plaintiffs' Motion for Approval of PAGA Settlement.

3. I worked for Defendant Family Dollar, Inc. ("Family Dollar") as a "Cashier" from approximately October 2021 to April 1, 2022.

4. After ending my work at Family Dollar, I spoke with an attorney because I saw what I thought were labor code violations on a regular basis. Unfortunately, it was a problem experienced by others who worked there as well. I decided that I wanted to serve as a representative plaintiff for others.

5. I knew that being a representative would take up time, but I felt a sense of duty to work on behalf of my co-workers who had faced the same difficulties at work as I did. Even though I understood that Family Dollar could seek to recover its costs of this lawsuit if they won the case against me, I still decided to go forward as a representative because I felt it was important to stand up for my co-workers who were too afraid to come forward on their own.

6. Being a representative plaintiff was a big commitment. It required taking personal time out of my schedule to assist my attorneys and give them important information about Family Dollar and my employment. I estimate I spent about 20-25 hours on this case. Some of this time included giving my attorneys information about Family Dollar's corporate practices and its actual practices.

7. I also took and made a lot of phone calls to my attorneys. We also conducted email exchanges. During those times, I spoke about my experiences to help them prepare the legal documents related to this case. As the case progressed, I searched for and turned over papers related to my job with Family Dollar. I also read case documents, including the letter we submitted to the Labor Workforce Development Agency, the Complaint we submitted to this Court, documents produced by Family Dollar, the mediation brief my attorneys prepared, and the PAGA Settlement

1 Agreement.

2 8. I have also taken seriously my responsibility to keep informed of what was
3 happening in the lawsuit. Throughout the case, I would check in with my attorneys. I had many
4 conversations with my attorneys about the case documents, evidence and legal strategy. Some of
5 these conversations have been over a half hour to an hour, sometimes involving more than one
6 conversation or email back and forth in a day.

7 9. In becoming the named representative, I faced the risk that initiating the case could
8 potentially hurt my future employment possibilities with another employer because I'd be looked
9 at as a troublemaker or someone who liked to file lawsuits. As I mentioned above, I also faced the
10 risk that Family Dollar might go after me for litigation costs if it won the case against me. Despite
11 the risks, I decided that representing the other workers was the right thing to do and that it was
12 important that Family Dollar follow the law in how they treat and pay their workers.

13 10. I was glad to learn that my former employer was interested in a mediation to discuss
14 settlement. Before the mediation, I spent a significant amount of time working with my attorneys
15 to provide information and even more time searching for, organizing and producing documents
16 related to my work for Family Dollar. I also reviewed the pages of records that Family Dollar
17 produced regarding my work for them. Our damages calculation for mediation was based on my
18 input on these records and also on additional documents and data that Family Dollar provided to
19 my attorneys in response to our mediation requests. In preparation for our mediation, I had a series
20 of phone conversations and email exchanges with my attorneys to go over my understanding of
21 these documents and data as well.

22 11. On February 19, 2024, we had a mediation in this case. I made sure that I was
23 available during the mediation for any questions that might come up. The mediation lasted the
24 entire day and at the end of it we agreed to the basic terms of the settlement.

25 12. After the mediation, I participated in several conversations with my attorneys
26 regarding the drafting of the formal settlement agreement. As part of the settlement agreement, I
27 am releasing any and all claims I have against Defendant, not just those relating to this case. I
28 understand that this release is broader than that which applies to the other Aggrieved Employees.

1 13. In light of the time that I have put into this case since the original meetings and
2 conversations in January 2023, through the present, including my continued commitment to the
3 case and the risks that came with being the named plaintiff, I respectfully request that the Court
4 grant a service payment of up to \$7,500, in an amount that the Court deems to be fair and
5 appropriate. I believe a significant award is warranted here because of the result achieved, the many
6 hours of my personal time that I have invested in the case, my commitment to seeing it through to
7 a strong settlement for my co-workers, and my release of all other claims that I may have against
8 Defendant.

9 14. I am both proud and grateful that my work and participation in the case helped to
10 pave the way for a successful settlement. I believe that the settlement offers a very beneficial result
11 for the other workers. Regardless of how the Court rules on my request for a service award, I request
12 that the Court grant approval of the settlement.

13 I declare under penalty of perjury that the foregoing is true and correct and based on my
14 personal knowledge.

15 Executed on 7/28/2024, in San Jacinto California.

DocuSigned by:

Joseph Raymond Rios

CAA129CA6866443...

Joseph Rios