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

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **FOR THE COUNTY OF KERN**

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

18 Plaintiffs,

19 v.

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

22 Defendant.

Case No. Case No.: BCV-23-100786

23 **DECLARATION OF JASON A.**  
24 **RODRIGUEZ IN SUPPORT OF MOTION**  
25 **TO APPROVE PAGA SETTLEMENT**

JUDGE: Hon. Thomas S. Clark

26 Date:  
27 Time: 10:00 a.m.  
28 Dept.: 17

**DECLARATION OF JASON A. RODRIGUEZ**

I, JASON A. RODRIGUEZ hereby declare as follows:

1. I am over the age of eighteen. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendant FAMILY DOLLAR INC., (“Defendant”) in approximately March of 2021 as a Non-Exempt Employee with the title of Assistant Store Manager. I worked for Defendant until my separation from Defendant’s employ in approximately October 2022.

3. Prior to filing this lawsuit, I searched for an attorney and found James Hawkins, APLC. I never knew James Hawkins, APLC before my consultation with them. After my consultation, I asked them to represent me in bringing a PAGA action on behalf of myself and all other similarly situated non-exempt employees of Defendant.

4. I knew the alleged Labor Code violations complained of in the complaint not only happened to me but happened to the other employees of Defendant that I worked with. I wanted to help the other non-exempt workers vindicate their rights, so I decided to bring this action lawsuit that we filed on or about March 14, 2023.

5. I believe my situation is similar and has been similar to all other non-exempt employees like me who worked for Defendant during the PAGA period. The Complaint which I brought against Defendant, alleged PAGA Representative claims for: (a) failure to pay minimum and overtime wages, (b) failure to provide meal periods, (c) failure to provide rest periods, (d) failure to pay all wages earned and owed upon separation from Defendant’s employ, (e) failure to pay wages timely during employment; (f) failure to provide accurate itemized wage statements, (g) failure to reimburse necessary business expenses, (h) failure to issue payment of wages in the form of a Labor Code-compliant instrument, (i) failure to report monetary compensation, (j) issuing pay cards that charge fees upon cash withdrawal, and (k) failure to accurately pay sick pay.

6. I believe that my interests have been and continue to be in alignment with the Aggrieved Employees, and I am willing to continue to pursue and prosecute their representative

1 claims against Defendant in this litigation. I believe I do not have any interests which are  
2 against the interests of the Aggrieved Employees, and I will continue to do what is best for all  
3 the Aggrieved Employees rather than myself, as I have done from the beginning of this case.  
4

5 7. My relationship with James Hawkins, APLC is purely an attorney client  
6 relationship and there are no other business, familial or social relationships between my attorney  
7 and myself. In addition, I do not have any relationship with Defendants other than being a  
8 former employee of Defendants. For these reasons, there is no conflict of interest between  
9 myself, my attorney, between Defendant, and myself or between the Aggrieved Employees and  
10 myself.

11 8. As the PAGA Representatives in this case, I participated in every aspect of the  
12 litigation and have been apprised of its progress. I believe I have maintained the best interests  
13 of the Aggrieved Employees while performing my PAGA Representative duties. I have  
14 participated in many interviews and conferences with my counsel regarding the conduct and  
15 settlement of this matter.

16 9. I have spent numerous hours consulting with my attorneys, providing  
17 documentation, consulting with other Aggrieved Employees, responding to questions by my  
18 attorneys, providing documents to my attorneys, working with my attorneys to review  
19 documents received, helping my attorneys in preparing for the mediation and attending the  
20 mediation via telephone. I prepared for my deposition although it was never taken as a result of  
21 the settlement efforts in this matter. I was consulted about the status of the case and provided  
22 constant feedback about the case from my attorneys including the mediation, settlement  
23 negotiations and eventual settlement. I estimate that I have spent approximately 38 hours  
24 helping to prosecute this matter.

25 10. After reviewing the settlement agreement and speaking with my counsel about  
26 it, I agreed to sign it on behalf of myself and all the other Aggrieved Employees. I signed the  
27 settlement because I believe the Settlement obtained in this case on behalf of the Aggrieved  
28 Employees is very fair, sufficient, and reasonable in view of the facts I know and have been  
made aware of, and due to the risk of going through further litigation. I believe the average

1  
2 payouts for the Aggrieved Employees are very reasonable considering all the facts and evidence  
3 and risks moving the case forward to trial.

4 11. I have not received and understand I will not receive any consideration or  
5 promises that are different from any of the other Aggrieved Employees will receive under the  
6 Settlement.

7 12. I also understand and believe to be fair the settlement allocation formula and  
8 believe it fairly accounts for the individual settlement payments based on the strengths and  
9 weaknesses of the various alleged claims and also considering the individual compensation and  
10 pay rates for the various class members over the settlement period.

11 13. I also understand my counsel will request that I be awarded an Enhancement  
12 Payment of \$7,500.00 for my efforts as a PAGA Representative, and that this additional  
13 payment is not guaranteed, but must be approved by the Court. I believe the requested  
14 enhancement payment is fair and reasonable based upon the results we have achieved for the  
15 Aggrieved Employees and because of the tasks I have performed on their behalf as a PAGA  
16 Representative.

17 14. I also believe the requested enhancement payment is fair and reasonable because  
18 my decision to accept the risk of being a PAGA Representative in a PAGA action under the  
19 Labor Code may affect my future ability to get other jobs in this industry. I also understood and  
20 accepted the risk of potentially being liable for the opposing parties' costs and attorneys' fees if  
21 I was unsuccessful in this lawsuit. I voluntarily assumed these real and large risks and the case  
22 would not have been brought without me and the other class members. I believe the Aggrieved  
23 Employees will receive a good benefit by resolving their claims against Defendants under the  
24 terms of the settlement.

25 I declare under penalty of perjury under the laws of the United States that the foregoing  
26 is true and correct. Executed on 7-2024, at BKSFH, California.

27  
28   
JASON A. RODRIGUEZ