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17 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

18 **FOR THE COUNTY OF SAN JOAQUIN**

19 **HECTOR ESTRADA, individually and on**
20 **behalf of others similarly situated**

21 **Plaintiff**

22 **vs.**

23 **GLASSFAB TEMPERING SERVICES INC.;**
24 **and DOES 1 through 100, inclusive,**

25 **Defendants.**

Case No: STK-CV-UOE-2021-8051

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

Hearing Date: 10/13/23
Hearing Time: 9 AM
Judge: 10A

**This case has been assigned to Judge
GEORGE J. ABDALLAH in Department
10A for all purposes including trial.**

FILED
SUPERIOR COURT

2023 SEP 12 PM 2:52

STEPHANNE D. J. CLERK

Tracy Anderson

1 I, HECTOR ESTRADA, hereby declare as follows:

2 1. I am over eighteen (18) years of age and a resident of California. I am the named plaintiff
3 in the above-captioned case, and I have personal knowledge of the facts and statements set forth in
4 this declaration, and if called upon to testify, I could and would competently testify thereto.

5 2. I am the named Plaintiff in this litigation. This declaration is submitted in support of
6 Plaintiff's Motion for Preliminary Approval of Settlement Agreement.

7 3. I was employed by Defendant GLASSFAB TEMPERING SERVICES INC.; ("GTS") as
8 an hourly-paid, non-exempt employee from April 13, 2015 to May 2020. I worked over 50 hours
9 a week and my shifts were in excess of 10 hours.

10 4. I decided to seek legal advice about my work experiences at GTS and about filing a lawsuit
11 to redress my grievances regarding my wages in May of 2020.

12 5. I contacted the Ladva Law Firm and spoke with attorney Scott Nakama. I wanted help for
13 myself and other employees regarding owed wages and for GTS not compensating its employees
14 for missed meal and rest breaks.

15 6. Specifically, I did not receive my 10 minute rest breaks or meal breaks when I worked
16 shifts over 10 hours. I was only paid for about 2 rest breaks a day even though I worked shifts of
17 over 12 hours and was entitled to three rest breaks. I also did not receive a second meal break
18 when I worked shifts over 10 hours.

19 7. I worked at both of GTS's locations and traveled using my own car between the locations
20 but was not reimbursed for these expenses.

21 8. Since obtaining legal representation in this case, I have spent a substantial amount of time
22 and energy contributing to the investigation, prosecution, and settlement of this case. Since hiring
23 my attorneys in 2020 up through the present date, I spent over 50 hours meeting with my counsel,
24 providing information to assist Counsel, conducting searches for documents, assisting my counsel
25 with responding to document requests and interrogatories, providing guidance regarding the duties
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1 of other class members, participating in the mediation, staying apprised of developments in the
2 case, and reviewing and approving the Settlement.

3 9. My attorneys thoroughly explained to me my rights, duties, and responsibilities in
4 serving as a Class Representative, which I acknowledged and agreed to in writing.

5 10. During this entire process, I have always had the best interests of the other class members
6 and I also had long discussions with counsel prior to the mediation regarding certain facts of the
7 case.

8 11. In sum, I have spent considerable time and attention working on this case since it
9 was filed on **August 17, 2021.**

10 12. I was also prepared and stood ready to perform additional tasks that I understood are
11 required of a Class Representative, testifying at trial, if necessary.

12 13. I have not received any benefit from third parties or my attorneys as a result of prosecuting
13 this class action, outside of my share as a Settlement Class Member and whatever service award
14 (if any) that the Court might approve at the final approval hearing.

15 14. As part of the proposed Settlement, I agreed to a release of claims against
16 GTS alleged in the Operative Complaint.

17 15. I do not have any interest, relationship, or involvement with Simpluris.

18 16. I have never been a named class representative in any other case, pending or closed

19 17. I do not have any conflicts of interest that would compromise my representation of
20 the settlement class.

21 18. After speaking with the attorneys, I provided them with a history of my employment and
22 all the records I had.

23 19. I have reviewed my payroll records produced by Defendant in this case.

24 20. My payroll records included time sheets and paystubs.
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1 21. Throughout the Case, I was available to speak and meet with Scott Nakama and Daniel
2 Martinez de la Vega whenever they needed me. I responded to them as quickly as possible and
3 gave them as much information as I could, including the names of witnesses.

4 22. As far as the settlement is concerned, I was available to answer any questions my attorneys
5 had. During the mediation, I made myself available all day to respond to any inquiries and provide
6 input on the negotiations. When my attorneys asked me to review the Settlement Agreement.

7 23. I reviewed the Settlement Agreement, asked relevant questions, and discussed the potential
8 settlement with my attorneys.

9 24. When I first became a named Plaintiff in this Case, it was explained to me that I would be
10 potentially jeopardizing working for other companies. Specifically, I was informed that I may be
11 retaliated against by potential future employers due to having filed a representative action against
12 my employer.

13 25. I believe that I have done everything that my attorneys have asked of me and have tried, to
14 the best of my ability, to represent the Class. I think my efforts helped to get the result obtained in
15 this Case. Thus, as a Representative Plaintiff, I respectfully request that the Court award me a
16 Representative Plaintiff Enhancement Payment in the amount of \$5,000 for my active
17 participation in this Case.

18 26. Taking into consideration the time I dedicated to this Case, the benefits to the Class
19 conferred, the lack of personal benefits obtained, and the consequences of filing a representative
20 action, I believe that this amount is reasonable. This is not something that I took lightly, and I
21 believe that the Representative Plaintiff Enhancement Payment is justified.

22 27. I am not related to anyone associated with Law Offices of Daniel Vega or the Ladva Law
23 Firm.
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I declare under penalty of perjury that the foregoing is true and correct, that I could testify competently thereto if called upon to do so, and that I executed this Declaration on the 12th day of September, 2023, in the of Manteca, California.



Hector Estrada