

KINGSLEY SZAMET EMPLOYMENT LAWYERS

ERIC B. KINGSLEY, Esq. (SBN 185123)

eric@kingsleylawyers.com

KELSEY M. SZAMET, Esq. (SBN 260264)

kelsey@kingsleylawyers.com

16133 Ventura Blvd., Suite 1200

Encino, CA 91436

Tel: (818) 990-8300, Fax (818) 990-2903

ABRAMSON LABOR GROUP

WILLIAM ZEV ABRAMSON, Esq. (SBN 289387)

Wza@abramsonlabor.com

1700 W Burbank Blvd,

Burbank CA 91506

Tel: (213) 493-6300, Fax (213) 382-4083

Attorneys for Plaintiff and the Proposed Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SONOMA

RAFAEL MANZO CORTES, an individual,
on behalf of himself and others similarly
situated,

PLAINTIFF,

v.

BOYRIE ENTERPRISES, INC. DBA MKB
CONSTRUCTION; and DOES 1 thru 50,
inclusive,

DEFENDANTS.

CASE NO. SCV-272909

[Case Assigned for All Purposes to Hon. Oscar
A. Pardo in Dept. 19]

**DECLARATION OF RAFAEL MANZO
CORTES IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date:

Time:

Dept.:

Complaint Filed: March 23, 2023

FAC Filed: May 30, 2023

Trial Date: None Set

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

I, Rafael Manzo Cortes, state and declare as follows:

1. I am a competent adult, over the age of eighteen and the Class Representative Plaintiffs in the matter of RAFAEL MANZO CORTES, an individual, on behalf of himself and others similarly situated v. BOYRIE ENTERPRISES, INC. DBA MKB CONSTRUCTION; and DOES 1 thru 50, inclusive, Sonoma County Superior Court, Case No. SCV-272909. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto. I am making this sworn declaration in support of my claims and the claim of my co-workers, and in support of my qualifications as Class Representative. If called as a witness, I could and would competently testify as to the truth of the matters set forth herein.

2. I worked as a concrete worker for BOYRIE ENTERPRISES, INC. DBA MKB CONSTRUCTION (“Defendant” or “MKB”).

3. In my role as a concrete worker, I regularly did not receive thirty (30) minutes uninterrupted meal periods within the first five (5) hours of my shift when working five hours or more. I also regularly was not provided with ten-minute paid rest periods for every major fraction of four hours that I worked. I was not reimbursed for business related expenses, and I was not issued accurate itemized wage statement. Lastly, I was not provided with all wages at the time of resignation.

4. I have spent significant time throughout this class action working with Class Counsel. Before filing this action, on March 23, 2023, I researched and identified Counsel that I believed could best represent the interests of the Class Members. I also assisted the attorneys with investigation and gathering of information including discussing my work experience and the experience of others that I had observed while working for Defendant and provided all relevant employment documents in my possession. In addition, I made myself available for a full-day mediation on October 17, 2017. I actively participated in the discussions with the Class Counsel and shared my knowledge and insights in order to help the Class obtain a favorable settlement.

5. Though I did not keep contemporaneous time records, I estimate I spent approximately 12-15 hours on the above activities.

6. Throughout the entirety of this litigation, I have maintained regular contact with Class Counsel and assisted in any way possible by providing information and making myself available as needed.

7. I was aware that by helping to initiate this lawsuit, my name would become known and it was possible that my involvement in this matter could make it more difficult for me to obtain employment in this field. Regardless, I believed it was important to proceed with this matter on my behalf and on behalf of all others who were subject to the same problems during their employment with Defendant.

8. Based upon my participation in this case, I understand the merits of this settlement and I strongly support the settlement and believe it is fair and reasonable, and in the best interest of the class. I believe this Settlement will benefit the Class.

9. It is my opinion that a fair and adequate Class enhancement for me as a Class Representative is \$5,000.00. I believe that it is fair and reasonable in view of all of the work I have performed in my role as a Class Representative. As Class Representative, I actively participated in all stages of the litigation as detailed above and have always maintained the best interest of the Class while performing my Class Representative duties.

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

Executed this 04 day of August, 2025 at Fresno,
California. (City)



Declarant

(PROOF OF SERVICE)
[CCP 1013(a)(3)]
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On August 27, 2025, I served all interested parties in this action the following documents described as: **DECLARATION OF RAFAEL MANZO CORTES IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Elizabeth A. Fritzinger, Esq.
EF LAW GROUP, P.C.
101 Morris St., Suite 101
Sebastopol, CA 95472
elizabeth@efritzlaw.com
Attorneys for Defendant

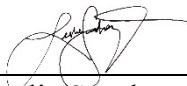
ABRAMSON LABOR GROUP
William Zev Abramson
Wza@abramsonlabor.com
1700 W Burbank Blvd,
Burbank CA 91506
Attorneys for Plaintiff

[XX] BY ELECTRONIC SERVICE: I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/432>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

[XX] BY ELECTRONIC MAIL TRANSMISSION: I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the below email address(es).

[XX] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 27, 2025, at Chino, California.



Leslie Sanchez