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10 Attorneys for Defendants
11 CASA MARTIN, LLC AND
12 CASA MARTIN PROMENADE LLC

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **COUNTY OF LOS ANGELES – CENTRAL DISTRICT – STANLEY MOSK**
15

16 ELIM BAZAN, an individual on behalf of
17 all employees similarly situated,

18 Plaintiff,

19 vs.

20 CASA MARTIN, LLC, a Limited Liability
21 Company; CASA MARTIN PROMENADE
22 LLC; and DOES 1 through 50, inclusive,

23 Defendants.
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Case No.: 23STCV04670

Assigned to Hon Elihu M. Berle, Dept. 6

**DECLARATION OF FERNANDO
MARTIN IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND PAGA
ACTION SETTLEMENT**

DATE: April 17, 2024

TIME: 10 a.m.

DEPT: 6

Action Filed: March 2, 2023

Trial Date: None Set

1 I, Fernando Martin, declare as follows:

2 1. I am an owner of Casa Martin, LLC and Casa Martin Promenade LLC. I have
3 personal knowledge of the facts herein and could and would testify competently thereto if called
4 upon to do so.

5 2. This declaration is submitted in support of Plaintiff's Motion for Preliminary
6 Approval of Class Action Settlement, currently set for hearing on April 17, 2024.

7 3. Casa Martin, LLC and Casa Martin Promenade LLC (collectively "the
8 Companies") are family-owned Mexican restaurants, with two locations in Santa Monica.

9 4. Pursuant to a Nondisclosure Agreement, my attorney has provided plaintiff's
10 attorney the following confidential information documents for both Companies: 2021 and 2022
11 tax returns; January 2022 – December 2022 Loss and Profit Statements; and January 2023 –
12 September 2023 Loss and Profit Statements.

13 5. The financial documents show that the Companies are in dire financial condition
14 and do not have cash on hand to pay the settlement amount in this case in a single payment. Both
15 Companies continue to be severely impacted by the COVID-19 pandemic, with a downturn in
16 business and increasing operating costs. The only viable means to make the settlement payment
17 is through a payment plan.

18
19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct.

21 Executed this 11 day of March 2024, at Santa Monica, California.

22
23 FERNANDO MARTIN
FERNANDO MARTIN (Mar 11, 2024 13:57 PDT)
24 FERNANDO MARTIN
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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
3) ss
4 COUNTY OF LOS ANGELES)

5 I am employed in the county of Los Angeles, State of California. I am over the age of
6 18 and not a party to the within action; my business address is 535 N Brand Blvd. Suite 285,
7 Glendale, California 91203.

8 On the date indicated below, I served the document described as: **DECLARATION OF**
9 **FERNANDO MARTIN IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY**
10 **APPROVAL OF CLASS AND PAGA ACTION SETTLEMENT** on the interested parties in this
11 action by sending a true copy thereof to interested parties as follows and as stated on the attached
12 service list:

13 Anthony J. Zaller
14 azallaer@zallerlaw.com
15 Anne McWilliams
16 amcwilliams@zallerlaw.com
17 Pooja V. Patel
18 ppatel@zallerlaw.com
19 **ZALLER LAW GROUP, PC**
20 999 N. Pacific Coast Highway, Suite 525
21 El Segundo, California 90245
22 Telephone: (323) 592-3505

23 *Attorneys for Defendants Casa Martin, LLC and Casa Martin Promenade, LLC*

24 [✓] **BY ELECTRONIC SERVICE:** Based on a court order or an agreement of the parties
25 to accept electronic service, I caused the documents to be sent to the persons at the
26 electronic service addresses listed above via third-party cloud service
27 **CASEANYWHERE**. I did not receive an error message.

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

Executed on March 12, 2024 at Glendale, California.

Lilit Tunyan

Name



Signature