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Attorneys for MANUEL BALUX OCH and PEDRO GARCIA ALFEREZ, on behalf of themselves, all others similarly situated, and on behalf of the general public.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA**

MANUEL BALUX OCH and PEDRO
GARCIA ALFEREZ on behalf of
themselves, all others similarly situated, and
on behalf of the general public,

Plaintiffs,

v.

SAC PROFLOORS; and DOES 1-100,
Defendants.

Case No. 23CV031860
(Consolidated with Case No. 23CV039543)

*[Assigned for All Purposes to the
Hon. Tara Desautels; Dept. 23]*

**DECLARATION OF PETER HORTON,
ESQ., IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND PAGA
ACTION SETTLEMENT, CONDITIONAL
CERTIFICATION, APPROVAL OF CLASS
NOTICE, SETTING OF FINAL
APPROVAL HEARING DATE**

Date: April 17, 2024
Time: 2:30 p.m.

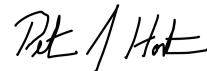
Action File: April 25, 2023
Trial Date: None Set

1 I, PETER HORTON, declare the following:

- 2 1. I am the managing litigation attorney at the law firm of Lawyers for Employee and
3 Consumer Rights and counsel of record for Plaintiff and the aggrieved employees in this
4 matter. I am duly admitted to practice before all the courts of the state of California. The
5 following facts are within my personal knowledge and, if called to testify, I could and
6 would competently testify thereto.
- 7 2. I have been practicing law in California since 2004.
- 8 3. My firm and I handle employment cases which involve violations of the California Labor
9 Code and Industrial Welfare Commission Wage Orders, such as wage and hour class
10 actions and cases alleging violations of the Private Attorneys General Act of 2004
11 ("PAGA"). We are currently involved in litigation in over fifty (50) PAGA cases.
- 12 4. My firm has been granted class certification in both state and federal courts.
- 13 5. All services were performed by Plaintiff's Counsel on a contingent basis with no
14 guarantee of any payment. Had the litigation continued, Defendants would undoubtedly
15 have mounted an aggressive defense. A defeat on the merits would have foreclosed the
16 possibility of recovering any remuneration for Plaintiff's Counsel's time and effort.

17
18 I hereby declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct.

20
21 Dated: March 21, 2024 **LAWYERS FOR EMPLOYEE AND CONSUMER RIGHTS**

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23 _____
24 Peter J. Horton, Esq.
25 Attorney for Manuel Balux OCH, on behalf of
26 himself, all others similarly situated, and on behalf
27 of the general public.
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