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Attorneys for Plaintiffs, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

VICTOR MEDINA and FRANCISCO
CRUZ, individually, on a representative
basis, and on behalf of all others similarly
situated;

Plaintiff,

vs.

HOWARD ROOFING COMPANY, INC.,
a California Corporation; and DOES 1
through 20, inclusive;

Defendants.

Case No.: CIVSB2312233
*[Assigned to Hon. Jessica Morgan, Dept S26, for
all purposes]*

**DECLARATION OF FRANCISCO CRUZ
IN SUPPORT OF PLAINTIFFS'
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Hearing

Date: June 26, 2024

Time: 8:30 a.m.

Dept.: S26

1 I, Francisco Cruz, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this
3 declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in
4 support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement.

5 2. I worked for Howard Roofing Company, Inc. ("Defendant") from approximately
6 August 2022 through May 2023 as a non-exempt General Laborer or Second Foreman. My job
7 consisted of managing employees, maintaining a list of materials and employees for various
8 projects and jobsites, performing foreman duties, ensuring that employees were performing their
9 job duties, inspecting materials and worksites, meeting with co-workers, and installing,
10 maintaining, and/or repairing roofs.

11 3. While I was working for Defendant, I became familiar with Defendant's business
12 practices, which led me to believe that many of Defendant's employees were being paid
13 incorrectly, were not receiving the legally required breaks, and were not being reimbursed business
14 expenses, among other things.

15 4. Before this class action lawsuit was filed, I came forward to be the class
16 representative. I spoke at length with my attorneys about Defendant's various employment
17 practices, why I believed these practices were illegal, and Defendant's business operations.

18 5. When I decided to become involved in this lawsuit as a Class Representative, I
19 understood that I would be subjected to the stigma that is sometimes associated with people who
20 bring these types of lawsuits. I am aware that this action is public record and may appear on a
21 background check, thereby affecting my future employment prospects. I understood that the
22 lawsuit could continue for several years and require my attention and participation the entire time.
23 I was made aware that I could become responsible for some or all of Defendant's legal costs if the
24 case did not conclude successfully. Despite these risks, I decided to serve as a Class Representative
25 because it was the right thing to do.

26 6. I spent many hours working on this case before and after it was filed. During the
27 pendency of the case, I continued to provide my attorneys with information related to Defendant's
28 working conditions including their practices and procedures. I also searched for and gathered

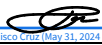
1 information and documents related to the case. I conferred with my attorneys on numerous
2 occasions to provide insight and perspective on this case as well as obtain updates regarding the
3 action and to answer questions. I also conferred with and identified class members who were
4 willing to testify for purposes of class certification. Further, I conferred with my attorneys
5 regarding questions to be asked to Defendant for documents and information related to this case.

6 7. I discussed the case in detail with my attorneys, including its potential strengths
7 and weaknesses. I believe that my thorough knowledge of Defendant's practices assisted them in
8 evaluating the claims and assessing the potential damages.

9 8. I have reviewed the Class Action and PAGA Settlement Agreement and Release of
10 Claims, discussed the terms with my attorney, and asked my attorney any questions I had. I believe
11 the terms of the Settlement and allocations are fair and reasonable given the facts of the case.

12 9. I understand that any Class Representative Enhancement Payment I may receive is
13 for my participation as a Class Representative and it is not contingent on my support or approval
14 of the Agreement.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed on 05/31/2024 in South Gate, California.

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Francisco Cruz (May 31, 2024 17:28 PDT)

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