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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 PLAINTIFF
VICTOR MEDINA IN SUPPORT OF
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

1 I, Victor Medina, state and declare:

2 1. I am the Plaintiff in the above captioned action and have personal knowledge of
3 all matters stated herein and could competently testify thereto. I make this declaration in support
4 of the motion for preliminary approval of the class action settlement. I believe that the settlement
5 is fair and reasonable and constitutes a fair resolution of the claims alleged.

6 2. During my employment with Howard Roofing, I thought that there were issues with my
7 pay and other aspects of my employment. Because of these issues, I started researching
8 California law and contacted attorneys regarding how I was treated.

9 3. I then contacted my attorneys and understood that I had two options: (1) I could
10 bring a class action to help all of the employees, but I would have to put their interests ahead of
11 my own, or (2) I could bring my individual case and claims and attempt to maximize my
12 individual recovery. This decision was very difficult because I wanted to maximize my
13 individual recovery, but I also wanted to help everyone else that was wronged by the company.
14 And, if I brought a class action, I was worried that I might get labeled as a whistleblower, which
15 might make it hard to find a job in the future. In the end, I decided that – despite the risks – it
16 was important to bring these claims as a class action to hold the company accountable for how
17 they treated their employees.

18 4. I respectfully request that the Court approve the agreed-upon service award for
19 the following reasons.

20 5. First, I have spent substantial time working on this case – at least 50 hours
21 engaged in activities to benefit the class. I have been an active participant in this litigation and
22 have assisted my attorneys in numerous ways, including helping to explain and discuss the
23 company's practices and their general practices and procedures, locating and analyzing company
24 documents, and communicating with other class members. These efforts occurred through
25 numerous telephone conferences, letters, emails, and text communications. I also assisted in
26 preparation for mediation and helped obtain a positive result for the class.

27 6. Second, I respectfully request that the Court approve the agreed-upon service
28 award because I agreed to set aside my personal interests and to put the interests of the class

1 ahead of my own. In doing so, and by successfully bringing this case as a class action, I helped to
2 obtain a highly beneficial settlement for the class members.

3 7. Third, by bringing this class action, I undertook significant risks and stresses at a
4 high emotional cost without any guarantee of success. For example, filing this lawsuit and being
5 a whistle blower was stressful on a day-to-day basis as I have constantly worried about the risk
6 that this case could impact my ability to find future jobs. And this stress/risk lasted for the entire
7 case, and I'm still worried it may make it hard to find a job in the future.

8 8. Fourth, bringing this case also came with a major financial risk because, if I lost
9 the case, I would be required to pay the company's costs, which could be over \$10,000, and there
10 was a chance they could try to make me pay their attorneys' fees as well.

11 9. Therefore, I respectfully request that the Court award the full requested service
12 award since that amount is justified based on the facts above.

13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct. Executed on Sep 9, 2024, at Norco, California.

15
16 By:


Victor medina (Sep 9, 2024 09:19 PDT)
Victor Medina