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Attorneys for Plaintiff LEOBARDO CASTENADA
on behalf of himself and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE

LEOBARDO CASTANADA, individually
and on behalf of himself and all others
similarly situated,

Plaintiff,

v.

TUSCANY CHEESE, LLC, a California
limited liability company' and DOES 1-50,
inclusive,

Defendants.

Case No.: 30-2023-01328407-CU-OE-CXC

Assigned for All Purposes To:

Hon. William Claster

Dept. CX101

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

Hearing re Prelim Approval:

Complaint Filed: May 26, 2023

DECLARATION OF PLAINTIFF LEOBARDO CASTANADA IN SUPPORT OF
PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA SETTLEMENT

1 I, Leobardo Castaneda, declare as follows:

2 1. I am over the age of eighteen (18) and a resident of the State of California. I am
3 the named plaintiff in the above-titled case. I have personal knowledge of the facts set forth in
4 this declaration, and if called upon to testify, I could and would competently testify thereto.

5 2. I worked as an hourly-paid, non-exempt employee for Defendant Tuscan Cheese, LLC
6 ("TCL" or "Defendant") from approximately February 2022 through May 2022.

7 3. Because I thought the practices at TCL may not be lawful, I decided to seek legal advice
8 about my work experiences at TCL and about filing a lawsuit to obtain relief for my grievances. I
9 contacted James Hawkins APLC and spoke with their attorneys. After meeting with my attorneys
10 about these issues, I decided to proceed with a lawsuit against my former employer. At the time,
11 I also agreed to represent all other similarly situated non-exempt employees who worked for
12 Defendant in California, and to obtain relief for the entire class.

13 4. I am aware and have been aware from the inception of the case, that there is the risk that if
14 I did not win my case, then I could be liable for Defendant's litigation costs. I accepted that risk
15 in this case. I also understood that an individual case would potentially have resolved much faster
16 than a class action and involved much less financial risk than a class action. Nevertheless I chose
17 to proceed with this lawsuit on behalf of the class.

18 5. I have and continue to be willing to assist in the investigation and prosecution of this
19 matter. I have regularly conferred with my attorneys regarding the case as part of my
20 responsibilities as a class representative. I have searched for and provided any necessary
21 information and documents to my attorneys; reviewed documents and pleadings in this case,
22 including my PAGA letter, the complaint, the declaration I submitted in support of this motion,
23 the memorandum of understanding, the settlement agreement; and have communicated regularly
24 with my attorneys to stay informed of the proceedings. In addition, I will also make myself
25 available for any further proceedings in this matter as required to represent the interests of the
26 Class. I also understand my duties and responsibilities to the Class and will continue carry out
27 those duties.

6. I routinely checked in with my attorneys and their staff to make sure that I stayed up to date on the latest developments in my cases. I made myself available to answer any questions my attorneys had about Defendant's practices and treatment of their employees whenever they needed me. I always responded to my attorneys as quickly as possible and gave them as much information as I could. I made myself available for a full day mediation and answered questions that my attorneys had in preparing for the mediation. I also made myself available to answer questions during the mediation.

7. I reviewed the memorandum of understanding and settlement agreement, discussed the agreements with my attorneys, and asked them questions before signing it. Based on the information provided, I believe the settlement to be fair, adequate, and reasonable for myself and the entire Class and the Aggrieved Employees.

8. I believe that I have done everything that my attorneys have asked of me and tried, to the best of my ability, to seek relief for the Class, the Aggrieved Employees, and the State of California. I have spent many hours participating in this matter as described above. I believe my efforts helped get the result obtained in this case.

9. I am proud of the result and accomplishment of this lawsuit. I feel that it is a positive accomplishment and understand that other people will benefit because of the actions that I have taken.

10. I understand that any resolution of this lawsuit on a class wide basis is subject to court approval, and any settlement must be designed in the best interest of the Class as a whole. At all times throughout the course of this litigation I have considered the interests of the Class and put them before my own personal interests. Since this lawsuit was filed in 2023 I estimate that I have dedicated at least 40 hours in assisting my attorneys.

11. I understand that, as part of the settlement, I will be asking the Court to approve a service award for me as the Class Representative. I understand that any service award is discretionary and intended to compensate named plaintiffs for the quality and quantity of the work done on behalf of the class and other employees; the financial and/or reputational risk undertaken in bringing the

1 class and/or PAGA action, and an acknowledgment of the benefits resulting from the
2 representative's actions.

3 12. I believe my work in this matter is meritorious on these points for the reasons set
4 forth above. Therefore, I request that the Court preliminarily approve a Class Representative
5 Service Award in the amount of \$7,500.00 for my efforts and very active participation in the case
6 and for the broader, general release of all claims that I have or may have against Defendant in
7 connection with the settlement.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct. Execute on July 28, 2025.

10 Firmado por:
11 *Leobardo Castaneda*
12 432741DA34F04B4...

13 Leobardo Castaneda

14 (erroneously named as Leobardo Castanada)