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8 Attorneys for Plaintiff,

9 NATHALIE BARCENAS, and all others similarly situated

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF ORANGE**

12 **(UNLIMITED JURISDICTION)**

13 NATHALIE BARCENAS, as an “aggrieved
14 employee” on behalf of herself and other
15 similarly situated “aggrieved employees”
16 under the Labor Code Private Attorneys
17 General Act of 2004,

18 *Plaintiff,*

19 vs.

20 EL TORO MEAT SHOP; EULOGIO
21 BONILLA; and DOES 1 to 25, inclusive,

22 *Defendants.*

Case No.: 30-2023-01351414-CU-OE-CXC

**DECLARATION OF NATHALIE
BARCENAS IN SUPPORT OF
PLAINTIFF’S MOTION FOR APPROVAL
OF PAGA SETTLEMENT**

*Assigned for All Purposes to
Hon. Layne H. Melzer, Department CX102*

Action filed: 09/27/2023
Hearing Date: 6/26/2025
Hearing Time: 2:00 p.m.
Hearing Dept: CX102

Reservation Number: 74539320

DECLARATION OF NATHALIE BARCENAS IN SUPPORT OF
PAGA SETTLEMENT AND RELEASE

I, NATHALIE BARCENAS, declare and state as follows:

1. I am a resident of the State of California and am over 18 years of age. I am the named Plaintiff in this action and am represented by Maralle Messrelian of MM Law, APC in this action. Except as otherwise stated, I have personal knowledge of all matters set forth in this declaration and could and would competently testify thereto if called upon to do so as a witness.

2. I first started working for Defendant El Toro Meat Shop (“El Toro” or “Defendant”) in or around September of 2022 as a cook at its meat shop located at 1340 W. 1st Street in Santa Ana, California. My employment with Defendant ended on or around May 29, 2023.

3. I understand that this lawsuit is a Private Attorney General action, otherwise known as a PAGA lawsuit. I understand that I am the Plaintiff and that El Toro is the Defendant. I understand that my name is on the cover of the lawsuit. I understand that I am the representative of other El Toro employees. As the representative in this lawsuit, I have duties to the State of California and other employees like me who were not paid for all hours worked at the correct rates of pay and provided all required meal and rest periods. I also understand that my lawsuit is on behalf of the State of California. I have fairly represented the other employees and the State throughout this lawsuit.

4. I understand that the Court will decide whether to approve the Settlement if it is in the best interests of Defendant’s other hourly employees and the State. I don’t have any disagreements with the other El Toro employees I represent. I am not aware of any reason why I can’t make the best decisions for them in this lawsuit.

5. I understand that my attorneys have asked the Court to pay me \$10,000.00 as an Enhancement Payment for my contribution to this case, as well as for providing Defendant with a general release of all claims, whether known or unknown, I may have against Defendant, not only PAGA claims. This is a significant sacrifice. I believe this amount is fair for the time I have spent and my involvement in this lawsuit. As part of this Settlement, I am giving up my right to

1 sue Defendant for anything. I also believe it is fair because of the risk that the Court could order
2 me to pay El Toro's court costs if I lose the case. I think it is fair that the Court pay me the
3 \$10,000 award for these reasons and others I list below.

4 6. When I agreed to hire my attorneys to file this lawsuit, I also agreed that I would
5 be the representative of the other employees and the State of California. In agreeing to be their
6 representative, I agreed that the interests of the other employees and the State in the lawsuit are
7 as important as my personal interests in suing El Toro. I agreed that I would do what is in the
8 best interest of the other employees and the State when deciding whether or not to settle this
9 lawsuit. I also agreed to actively participate in the lawsuit. I also understand that there will only
10 be a settlement of the lawsuit if the Court allows it. As the representative of the other employees
11 and the State of California, I have agreed to follow the progress of the lawsuit. I have done this
12 since I hired my attorneys by reading the court documents they send me and by speaking with
13 them over the phone.

14 7. The PAGA statute does not forbid service awards. Courts frequently award them
15 in PAGA-only cases as well. The work I have done on this case includes hiring my attorneys,
16 speaking with my attorneys on many occasions by phone, explaining what my employment at
17 El Toro was like, explaining what my employment at El Toro had in common with other
18 employees who worked for El Toro, explaining my claims to my attorneys, speaking with the
19 mediator during the mediation, and communicating with my attorneys about the settlement
20 agreement and related documents. I have also carefully reviewed the Settlement agreement and
21 other documents to make sure that the Settlement and other work my attorneys performed are
22 in the best interests of the employees I represent and the State of California.

23 8. Because I filed this lawsuit, there is a public record at the Court showing my
24 name on the cover of the complaint for anyone to see. Any potential employer who finds the
25 lawsuit will know I sued a former employer. This could hurt my reputation. This could prevent
26 a potential employer from choosing to hire me. An award of \$10,000.00 is not equal to the harm
27 I would suffer if I can't find another job in the future.

28 9. Based on the time I have spent on the lawsuit, the risk I will have to pay El Toro's

1 court costs if I lose, the harm to my chances of getting jobs in the future, and my agreement to
2 give up any personal claims for unpaid wages and monetary penalties I have against El Toro,
3 my request for an award of \$10,000 is fair and reasonable.

4 I declare under the penalty of perjury of the laws of the State of California that the
5 foregoing is true and correct to the best of my knowledge.

6 Executed on April 11, 2025 at Santa Ana, California.
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8 Nathalie Barcenas
Nathalie Barcenas (Apr 11, 2025 12:44 PDT)

9 NATHALIE BARCENAS,
10 Declarant
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