

FRONTIER LAW CENTER

Adam Rose (CA Bar No. 210880)

adam@frontierlawcenter.com

Manny Starr (CA Bar No. 319778)

manny@frontierlawcenter.com

23901 Calabasas Road, #2074

Calabasas, CA 91302

Telephone: (818) 914-3433

Facsimile: (818) 914-3433

BOKHOUR LAW GROUP, P.C.

Mehrdad Bokhour, Esq. (CA Bar No. 285256)

mehrdad@bokhourlaw.com

1901 Avenue of the Stars, Suite 450

Los Angeles, California 90067

Tel: (310) 975-1493; Fax: (310) 675-0861

Attorneys for Plaintiffs and the Putative Class

Additional counsel on the following page

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

ELSA CHAVEZ and ORLANDO A. ROJAS,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

TLD LOGISTICS SERVICES, INC., a
TENNESSEE corporation; and DOES 1-100,
inclusive.

Defendants.

CASE NO.: CIVSB2314330

Assigned to the Hon. Wilfred J. Schneider Jr.

**DECLARATION OF ORLANDO A.
ROJAS IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

HEARING INFO

Date: January 7, 2025

Time: 8:30 a.m.

Dept.: S32

1 Sam Rezvani (CA Bar No. 285376)

2 *srezvani@venturelawpc.com*

3 **VENTURE LAW, P.C.**

4 1901 Avenue of the Stars, Suite 450

5 Los Angeles, California 90067

6 Tel: (310) 893-3402; Fax: (310) 602-0551

7 Attorneys for Plaintiff and the Putative Class

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DECLARATION OF ORLANDO A. ROJAS

I, Orlando Rojas, state and declare:

1. I am a Plaintiff in the above-captioned action and have personal knowledge of all matters stated herein, and could competently testify thereto. I make this declaration in support of the motion for preliminary approval of the class action settlement.

2. I believe the settlement is fair and reasonable and constitutes a fair resolution of the alleged claims.

3. During my employment with Defendant, several issues concerned me, which I thought did not comply with California law, such as not being paid properly, not getting paid all minimum and overtime wages, **not** being provided proper meal periods and rest breaks, failure to maintain accurate employment records; failure to pay wages timely **during employment**; failure to pay all wages earned and unpaid **at separation**; failure to reimburse business expenses; failure to furnish accurate itemized wage statements; unfair competition; and PAGA penalties. Even though I was unsure if I wanted to bring a lawsuit because of the risk of stepping forward as a whistle-blower (since this could jeopardize my livelihood in the industry and make it difficult to find future jobs), I retained my attorneys to proceed with this class action because I did not think that myself or the other employees were being treated correctly.

4. When I first retained my attorneys and chose to pursue this case on a class action basis, I understood that I had specific burdens as the "Class Representative," which included: (a) representing the interests of all class members, (2) considering the interests of all class members above my own personal interests, (3) participating actively in the lawsuit, including deposition, and keeping generally aware of the status and progress of the lawsuit. Moreover, I understood that any resolution of the lawsuit is subject to court approval and must be designed in the best interests of the class as a whole.

5. I respectfully request that the court approve the service award for the following reasons.

6. First, I have spent substantial time working on this case and have performed

1 substantial services for the Class to help obtain a highly beneficial settlement for my fellow
2 employees.

3 7. On or about June 2024, I initiated a Class and PAGA Representative Action
4 Complaint in the Superior Court of California, San Bernardino County. This action represents my
5 interests and that of all other current and former non-exempt employees similarly situated.
6 Subsequently, in July 2024, I joined the case titled *Elsa Chavez v. TLD Logistics Services, Inc.*;
7 Case No. CIVSB2314330, as a named Plaintiff and later dismissed my case.

8 8. Since initiating this action, I estimate I have spent approximately 35-40 hours
9 engaging in activities to benefit the class. I have assisted my attorneys in numerous ways, including
10 helping to explain and discuss the company's practices and their general practices and procedures,
11 locating and analyzing company documents, and communicating with other class members. These
12 efforts occurred through numerous meetings with Class Counsel, telephone conferences, letters,
13 emails, and text communications. I also spent substantial time assisting with the preparation for
14 mediation.

15 9. My work also continued after mediation, as I reviewed settlement agreements and
16 other settlement documents and continued communication with my lawyers during the settlement
17 approval processes.

18 10. Second, I respectfully request that the Court approve the agreed-upon service award
19 because I agreed to set aside my personal interests and put the class's interests ahead or on par with
20 my own. In doing so, and by successfully bringing this case as a class action, I helped to obtain a
21 highly beneficial settlement for the class members.

22 11. Third, as a condition of this class action settlement, I was required to release and
23 waive all possible individual claims against the company – something that none of the other class
24 members were required to give up.

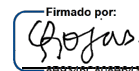
25 12. Fourth, by bringing this case as a class action, I undertook significant risks and
26 stresses at a high emotional cost without any guarantee of success. For example, filing this lawsuit
27 and being a whistle-blower was stressful daily as I constantly worried about the risk that this case
28

1 could impact my ability to find future jobs. This stress/risk lasted for the entire case, and I'm
2 worried it may make it hard to find a job in the future since the case information is all available
3 online.

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

7 14. I affirm my unwavering dedication to representing the interests of the putative class
8 and aggrieved employees. I voluntarily assumed considerable risks and expended considerable
9 effort to secure a favorable outcome. I trust that the Court will duly consider my request for a
10 Service Award in recognition of these contributions.

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12 I declare under penalty of perjury under the laws of the State of California that the
13 foregoing is true and correct. Executed on 12/4/2024, in _____, California.

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15 Firmado por:


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Orlando Rojas