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Attorneys for Plaintiff JUAN ARIAS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE**

JUAN ARIAS, an aggrieved employee and on
behalf of other aggrieved employees;

Plaintiff,

vs.

CONTACTABILITY.COM LLC, an Ohio
limited liability company; and DOES 1 through
50,

Defendants.

Case No.: 30-2023-01352000-CU-OE-CXC

[Assigned for All Purposes to:
Hon. Layne H. Melzer, Dept. CX102]

**DECLARATION OF JUAN ARIAS IN
SUPPORT OF MOTION FOR
APPROVAL OF PAGA SETTLEMENT,
ATTORNEY'S FEES AND COSTS, AND
ENHANCEMENT AWARD**

(Filed Concurrently with Notice of Motion
and Motion for Approval of PAGA
Settlement; Supporting Declarations and
[Proposed] Judgment and Order)

DATE: February 5, 2026
TIME: 2:00 p.m.
DEPT: CX102
Reservation ID: 74663736

Action Filed: September 29, 2023
Trial Date: Not Set

1 I, Juan Arias, hereby declare as follows:

2 1. I am an individual over the age of 18 year and the named Plaintiff in the above-
3 captioned matter. This declaration is submitted in support of approval of the proposed PAGA action
4 settlement (“Settlement”) reached in this case. I have personal knowledge of the facts contained in
5 this declaration, and if called as a witness, could and would testify as to their accuracy.

6 2. I was employed by Defendant Contactability.com LLC (“Defendant”) as non-exempt
7 call center agent from February 2019 to July 2023. During my employment with Defendant
8 Contactability, I was subject to Defendant’s wage and hour policies and practices that are at
9 issue in this case.

10 3. Specifically, I received bonuses and commissions which I believe were not included
11 in my overtime rate; I had to wait several minute each day for my computer to boot up before I
12 could clock in; I sometimes was unable to take my meal and rest breaks because of operational
13 needs; I was required to work from home since COVID, and although Defendant provided me with
14 a work computer with a phone application, I was not reimbursed for any other costs I incurred
15 working from home, such as internet and utility costs; I was required to sign a non-compete
16 agreement; and I was not provided accurate wage statements with the correct amount of wages due
17 to me and hours I worked. I believe other non-exempt employees of Defendant were subject to the
18 same policies and procedures discussed above.

19 4. I have been actively involved in this case since I first retained Justice for Workers,
20 P.C. (“JFW”) in July 2023. Without waiving the attorney-client privilege, prior to filing this lawsuit,
21 my attorneys explained my role and responsibilities as a class and PAGA representative, and I
22 understand my responsibilities as a class and PAGA representative. Since retaining my attorneys, I
23 have had many discussions with the attorneys and staff at JFW, including discussions regarding
24 Defendant’s wage and hour practices and my claims in this case, potential witnesses, litigation
25 strategy, updates on how the case was proceeding, the settlement, and how I could help the case and
26 other employees. I also gathered and reviewed documents for use in the lawsuit and reviewed
27 relevant documents with my attorneys. I estimate that I have spent at least 20 hours on this case
28 from the time I first spoke with my attorneys regarding this case until the present. I also understand

1 that as part of the settlement, I have agreed to a general release of claims against Defendants, which
2 is broader than the release of claims agreed to by other employees. As far as I am aware, I have no
3 actual or potential conflicts with any Aggrieved Employees.

4 5. I understand that my attorneys will request that the Court approve an enhancement
5 service award of \$5,000 for my efforts on behalf of the State and Aggrieved Employees. I believe
6 this amount is reasonable based on the amount of time and effort I have devoted to this case, the
7 risks I have undertaken as a PAGA representative, and my general release of claims, as described
8 above. My support for the Settlement is not contingent on my receiving this enhancement award.

9 I declare, under penalty of perjury under the laws of the State of California, that the
10 foregoing is true and correct.

11 Executed on September 15, 2025 at Anaheim, California.

12
13 *Juan C Arias*

14 _____
Juan Arias