

Arrash T. Fattahi (SBN 333676)
arrash.fattahi@wilshirelawfirm.com
 Arman A. Salehi (SBN 351112)
arman.salehi@wilshirelawfirm.com
WILSHIRE LAW FIRM
 3055 Wilshire Blvd., 12th Floor
 Los Angeles, California 90010
 Telephone: (213) 381-9988
 Facsimile: (213) 381-9989

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

FERNANDO ALBERTO ACEVEDO,
 ANTHONY GUZMAN, FERNANDO
 HIPOLITO, and VANESSA OLMOS-CORTES,
 individually, on behalf of all others similarly
 situated, and on behalf of the State of California
 and other aggrieved persons,

Plaintiffs,

v.

CROCS RETAIL, LLC, a limited liability
 company; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 23STCV15354

CLASS & REPRESENTATIVE ACTION

[Assigned to: Hon. Elihu M. Berle, Dept. 6]

**DECLARATION OF PLAINTIFF
 FERNANDO HIPOLITO IN SUPPORT
 OF PLAINTIFFS' MOTION FOR
 PRELIMINARY APPROVAL OF CLASS
 ACTION SETTLEMENT**

DECLARATION OF PLAINTIFF FERNANDO HIPOLITO

I, Fernando Hipolito, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All of the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a former employee of Crocs Retail, LLC (“Defendant”). I worked for Defendant from approximately November 2022 to approximately May 2023 as an hourly-paid, non-exempt employee. Throughout the entirety of my employment, I was subject to all of Defendant’s policies and practices that have been alleged as unlawful in the First Amended Class & Representative Action Complaint and Private Attorneys General Act (“PAGA”) Notice sent to Defendant and the Labor & Workforce Development Agency.

4. I joined this lawsuit because I suspected I was not being fully compensated for all the hours I worked, and I was not consistently granted my meal and rest breaks. By serving as a class representative, I hoped to influence Defendant’s policies in a way that would improve working conditions for my co-workers. I also understood it was my responsibility to look out for the best interests of the class, stay informed about the proceedings, assist my attorneys, and remain updated on developments in the case.

5. I have devoted a significant amount of my own time and energy to this lawsuit—approximately 30 hours in total. I made it a priority to stay active in the process so I could do all I could to support my attorneys in pursuing these claims.

6. Over the course of the litigation, I spent extensive time on phone calls with my attorneys, both to receive updates and to share information. During some of those conversations, we were able to pinpoint specific occasions where I had not been paid correctly. In addition, as

we approached mediation in May 2024, I had multiple, in-depth discussions with my attorneys about the core issues and what to anticipate.

7. I also worked diligently to locate and send my attorneys any documents relevant to the claims, devoting numerous hours to gathering them before mediation. I made sure to review legal documents thoroughly—including the retainer and settlement agreement—and discussed their terms in detail with my attorneys.

8. On the day of mediation, I made myself completely available and remained in close contact with my attorneys to address any questions or issues that arose.

9. I believe the settlement reached is fair, adequate, and reasonable, and I would strongly urge the Court to approve it. I am pleased I had the opportunity to serve as a class representative and help secure a settlement that benefits the class.

10. The decision to join a class action was not something I took lightly. I knew it would bring public attention, and my name would be tied to a lawsuit against my former employer. I also understood that future employers might discover I had sued Defendant. However, I felt there were important rights at stake that affected everyone, and I wanted to take action.

11. I recognized the financial risks as well; for instance, if I lost the case, I might have been held responsible for Defendant's attorneys' fees and costs.

12. Under the settlement agreement, I am eligible to receive a service payment of up to \$7,500. I believe this amount fairly compensates me for the time and effort I invested, as well as the potential risks to my future employment. I also acknowledge that I have signed a general release broader than the one binding other class members, and I will receive no compensation beyond what is specified in the settlement.

13. In light of my role and the positive impact this case has had on my former co-workers, I feel proud to have stood up for employees who were too fearful of losing their jobs or facing the stigma of suing an employer. I was willing to take that risk because I genuinely care about safeguarding the rights and well-being of my former colleagues.

14. I reviewed and signed the Class and PAGA Settlement Agreement in full and my attorneys answered all the questions I had. I believe the settlement terms and allocations are fair,

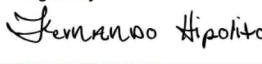
adequate, and reasonable given the strength of the class claims and Defendant's defenses.

15. I have no conflicts of interest with any class member or the Settlement Administrator, CPT Group, Inc.

16. I am not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by the Settlement.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed on 12/23/2024, at Glendale, California.

Signed by:

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Fernando Hipolito

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1 PROOF OF SERVICE