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

**IN RE: STANISLAUS FOOD
PRODUCTS COMPANY
EMPLOYMENT CASES**

Included Actions:

*Rigoberto Valle v. Stanislaus Food Products
Company, Case No. CV-23-001433*

*Mario Castillo v. Stanislaus Food Products
Company, Case No. CV-23-003465*

*Victoria Martinez v. Stanislaus Food
Products Company, Case No. CV-23-
004653*

*Rebeca Balbuena Andres v. Stanislaus Food
Products Company, Case No. CV-23-
007019*

*Martin Sohal v. Stanislaus Food Products
Company, Case No. CV-24-000548*

Lead Case No.: CV-23-001433

*[Case Assigned for All Purposes to the Hon. John
D. Freeland, Dept. 23]*

**DECLARATION OF VICTORIA
MARTINEZ IN SUPPORT OF
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: December 20, 2024
Time: 8:30 a.m.
Dept.: 23

Action Filed: March 21, 2023
Trial Date: None Set

DECLARATION OF VICTORIA MARTINEZ

I, Victoria Martinez, declare as follows:

1. I am an individual over the age of 18 and one of the named plaintiffs in this matter. This declaration is submitted in support of approval of the proposed class action settlement ("Settlement") reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so. Because I do not speak or read English fluently, I was interviewed in Spanish for this declaration with the assistance of an interpreter, who reviewed it with me and translated its contents between English and Spanish.

2. I was hired by Stanislaus Food Products Company ("Defendant") as a non-exempt "Sorter" in approximately July 2008. My position is seasonal since I work for Defendant from the months of July through October. Throughout my employment with Defendant, I have worked in its tomato canning facility in Stanislaus, California. My duties include lining tomato cans with herbs on an assembly line and sorting tomatoes before they are canned.

3. During my employment, I received additional bonus payments that appeared on my wage statements as "Incentive," "Shift #2," and "Shift #3." However, when I worked overtime hours and received these payments in the same time period, my overtime wages were calculated based upon my base rate of pay. Also, for a period of time, Defendant would track my timeclock entries to the minute but would round my time in fifteen-minute increments before paying me. I was also required to undergo pre-shift security checks and to put on personal protective equipment before I was allowed to clock in for the start of my shift, and I was not paid for this time.

4. Additionally, due to Defendant's practice of staggering employee meal periods, I regularly had to continue working and wait until after I had completed five hours of work before I was provided with a meal period. Moreover, I had to clock-in and out for meal periods at exactly 30 minutes, meaning I had to allot time during my 30-minute meal periods to walk from the timeclock to the designated cafeteria rest area, and back, before the end of my meal period.

1 Additionally, I had to make time to wash my hands before clocking back in from my meal
2 period and put back on my safety equipment, further shortening my meal period. Defendant also
3 did not allow me to leave its premises during my meal period, and only provided me with a up
4 to single meal period each work day, even when I worked shifts over 10 hours. Similarly, as
5 with meal periods I could not leave Defendant's premises during my rest periods, and was not
6 authorized and permitted to take a third rest period when I worked shifts over 10 hours. Further,
7 my manager timed my rest periods to begin the moment I left my workstation and I had to be
8 back at my workstation ready to perform work the moment my rest period ended. However,
9 during the time allotted to my rest periods, I had to travel back and forth from the designated
10 rest area, take off and put on my protective equipment, and wash my hands before the end of my
11 rest period.

12 5. On August 17, 2023, I filed a class action lawsuit against Defendant in Stanislaus
13 County Superior Court, entitled *Victoria Martinez v. Stanislaus Food Products Company*, Case
14 No. CV-23-004653. I later learned that other employees of Defendant, including Rigoberto
15 Valle, had filed similar actions against Defendant shortly before I had filed my lawsuit, which
16 asserts overlapping claims against Defendant.

17 6. When I first filed my lawsuit, I understood that it had the chance to benefit
18 Defendant's other workers by helping them recover money and penalties they were owed. I felt
19 that Defendant was not following the law, and I wanted Defendant to comply with the law and
20 treat its employees fairly. I feel that the other named plaintiffs and I have taken on a greater
21 burden than any of the other class members because we have been actively involved in the
22 litigation, and because it is our names that are attached to the lawsuit. Although I was aware of
23 the risks associated with filing a public lawsuit, I chose to move forward with the case anyway.
24 Defendant has agreed to a settlement that will benefit current and former employees of
25 Defendant, and I believe that I should be compensated for carrying the burden of this litigation
26 for the benefit of the other employees.

27 7. I have been actively involved in this case since before it was even filed. Among
28 other things, I searched for and provided relevant documents to my attorneys for use in the

1 lawsuit, provided factual information to my attorneys, had various phone calls with my
2 attorneys to discuss the claims in the lawsuit and Defendant's practices, assisted my attorneys to
3 help them prepare for mediation, made myself available during mediation to assist my attorneys
4 and answer factual questions posed by the mediator, reviewed and provided input regarding the
5 settlement in this case, and otherwise assisted my attorneys in moving this case towards
6 resolution. I estimate that I have spent approximately 15 to 20 hours in total on these activities.

7 I declare under penalty of perjury under the laws of the state of California and the
8 United States that the foregoing is true and correct. Executed on 09/17/24, at Riverbank,
9 California.

Victoria Martinez
Victoria Martinez (Sep 17, 2024 11:44 PDT)

Victoria Martinez