

Arrash T. Fattahi (SBN 333676)
arrash.fattahi@wilshirelawfirm.com
Arman A. Salehi (SBN 351112)
arman.salehi@wilshirelawfirm.com
Bradford Smith (SBN 345879)
bradford.smith@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 ORANGE**

MICHAEL MILLER, individually, on behalf of
all others similarly situated, and on behalf of the
State of California and other aggrieved persons;
JOHN AMATO, individually, and on behalf of
all others similarly situated,

Plaintiffs,

v.

KASTLE SYSTEMS INTERNATIONAL LLC.
a limited liability company; and DOES 1 through
10, inclusive,

Defendants.

Case No.: 30-2023-01345211-CU-OE-CXC

CLASS & REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. William
D. Claster, Dept. CX101]*

**DECLARATION OF PLAINTIFF JOHN
AMATO IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

DECLARATION OF PLAINTIFF JOHN AMATO

I, John Amato, 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 am a named Plaintiff in this case and a former employee of the named Defendant, Kastle Systems International LLC (“Defendant”).

3. I worked for Defendant in a non-exempt, hourly-paid position in 2023. Throughout my employment, I typically worked at least five days per week in excess of 8 hours each workday.

4. During my employment with Defendant, I realized its wage-and-hour practices placed employees, including me, at a disadvantage. For instance, I was not compensated for all hours worked, including time spent working off-the-clock. Additionally, I experienced problems taking full, timely, and uninterrupted meal periods and rest breaks, and I was not adequately reimbursed for all expenditures I made for work purposes.

5. I believe that Defendant’s illegal wage-and-hour practices that affected me also affected all its non-exempt employees. For instance, the practice of not paying for all hours due to off-the-clock work affected nearly all of Defendant’s non-exempt employees. Additionally, I believe that other employees also experienced problems receiving reimbursement for necessary work expenses as well as their full, timely, and uninterrupted meal and rest breaks.

6. As a result of Defendant failing to compensate for all time worked and failing to provide legally compliant meal periods, rest breaks, and reimbursements, other employees and I were subjected to these illegal wage-and-hour practices.

7. I was employed by Defendant in an hourly-paid, non-exempt position during the putative class period. Accordingly, I have joined this class action case on behalf of all other employees who are also or were at some point classified as non-exempt during their employment with Defendant. I believe my alleged claims in this case impacted not only me but the entire class.

8. This lawsuit is not an individual lawsuit; rather, it is a proposed class action. I

1 understand that as a class representative in this matter, I have an obligation to do my best to look
2 out for the interests of other class members. I understand that my obligations to the class exist even
3 when the class is certified solely as part of a class action settlement. It is my understanding that,
4 as one part of this duty to the class , I cannot agree to a settlement to benefit myself to the exclusion
5 of the rest of the class members. I have never asked my attorneys to simply settle this matter at
6 any cost; rather, I have asked them to obtain the best settlement they could, within reason, and I
7 believe they have attempted to do so.

8 9. I understand the obligations of being an adequate class representative include
9 significant responsibilities and a fiduciary duty to represent the class, which means responding
10 truthfully, completely, and promptly to any information requests made by my attorneys; reviewing
11 facts and claims in the case to make certain the alleged Labor Code violations are redressed;
12 participating dutifully in the litigation; making myself available for any meetings, proceedings,
13 and court hearings at which I am needed; and, above all, putting class interests above my own.

14 10. This case was filed over a year ago, and since then, I have never asked to be relieved
15 from my role as a class representative. To the contrary, I have made myself available whenever
16 my attorneys wanted to discuss aspects of my employment by Defendant, and I remain committed
17 to seeing this matter through to the end.

18 11. My goal in joining this lawsuit was to obtain a recovery on behalf of the class, and,
19 even more importantly, to put an end to what I believe are illegal practices on the part of Defendant.

20 12. I believe that were it not for me and Plaintiff Miller stepping forward and taking on
21 the duties of protecting the interests of other class members in this case, it is likely that the interests
22 of the class would neither have been prosecuted nor benefited. To my knowledge, other than my
23 lawsuit encompassed by the Settlement, there is no other litigation, on a class, representative, or
24 individual basis, alleging similar claims, and Defendant has not pointed to any other such litigation.

25 13. Summing it all up in the simplest terms, I asked to be a stand-in for other employees
26 of Defendant as a class representative. Because of that, I cannot quit on the class, and I cannot put
27 myself and my interests before the class. I accept these duties and request that my appointment as
28 a class representative, for purposes of settlement, be confirmed.

1 14. I have reviewed and conferred with my attorneys about the Class Action and PAGA
2 Settlement Agreement (the “Settlement”) in this case. I am not an accountant, but I generally
3 understand there are factors and risks that should be considered when evaluating a settlement. I
4 believe this Settlement is fair, adequate, and reasonable, and therefore, I would recommend the
5 Court approve it.

6 15. Pursuant to the Settlement, I am requesting an enhancement award of \$5,000.00 to
7 me as a class representative, in addition to any settlement payment I will receive as a class member.
8 I understand this enhancement award is subject to the Court’s approval. I believe this award is fair
9 compensation to me for initiating and helping to prosecute this case, for my effort and time on this
10 case, and for the substantial risks I undertook with respect to agreeing to be a named Plaintiff in
11 this case, including the negative impact this role may have on my future employability. In addition,
12 I have signed a general release of any and all claims I have against Defendant, including a waiver
13 of my rights under California Civil Code section 1542.

14 16. My participation began with bringing certain issues that are involved in this matter
15 to my attorneys’ attention and explaining the factual background that was used to prosecute the
16 claims in this case. For example, I provided my attorneys and reviewed with them documents I
17 had in my possession from my employment by Defendant. I also provided my attorneys with first-
18 hand knowledge as to Defendant’s business operations and its wage-and-hour practices, as I
19 understand them to be.

20 17. I have assumed some long-lasting risk in prosecuting this case. For example,
21 because it is so easy to search for information online these days, I face an increased risk that future
22 employers will discover information about this lawsuit and have a negative reaction to learning
23 that I sued my former employers. A search of my name would reveal this employment class action,
24 and as a result, many employers may forego hiring me. This would make it difficult to obtain
25 future employment or change jobs for a better opportunity.

26 18. I have devoted a substantial amount of my time, both before this lawsuit was filed
27 and during its litigation, to ensure a fair result for the class. This involved ongoing communications
28 and participation with my attorneys during the course of this case. In total, I believe I have spent

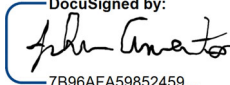
1 at least 30 hours assisting my attorneys with this case.

2 19. I am glad I had the opportunity to represent the class in this lawsuit and that I was
3 able to recover money for my fellow class members through the Settlement.

4 20. I have no conflicts of interest with the Settlement Administrator, Apex Class Action
5 Administrators.

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

8 Executed on 2/27/2025, at San Martin, California.

9 DocuSigned by:
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11 7B96AFA59852459

12 John Amato
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I, Ashley Narinyans, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is ashley.narinyans@wilshirelawfirm.com.

PROOF OF SERVICE