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as an aggrieved employee, and on behalf of all other aggrieved employees

[*Additional counsel on following page*]

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

JOHNNY ELIJA STINSON, as an aggrieved employee, and on behalf of all other aggrieved employees under the Labor Code Private Attorneys General Act of 2004,

Plaintiff,

v.

PERFECT 85 DEGREES C, INC., a California corporation; and DOES 1 through 100, inclusive,

Defendants.

CASE NO.: 24CV070989

[Assigned for all purposes to the Hon. Keith Fong in Dept 517]

DECLARATION OF ARTURO GANDARA IN SUPPORT OF PLAINTIFFS' MOTION FOR APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT

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DECLARATION OF PLAINTIFF ARTURO GANDARA

I, Arturo Gandara, declare:

1. I am over the age of eighteen and the PAGA Representative Plaintiff in this action. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto.

2. I submit this Declaration in support of the Motion for Approval of Representative Action Settlement entered into between me, on behalf of myself and other similarly situated Aggrieved Employees of Defendant Perfect 85 Degrees C, Inc. ("Perfect 85" or "Defendant"). I understand that I am submitting this Declaration in support of PAGA Settlement approval in this action.

3. I am currently a resident of California and I was employed by Defendant Perfect 85 Degrees C, Inc. during the relevant period as an hourly, non-exempt employee. I worked as a Baker for Defendant and performed various tasks, including baking pastries, stocking items, cooking, and cleaning. From my experience, and the documents and information I have reviewed from this action, I believe Defendant's policies are or were uniformly applied to all non-exempt employees of Defendant in California. I believe I have been similarly situated with the other Aggrieved Employees as they have been defined in the Settlement Agreement.

4. I understand that I am bringing this action by stepping into the shoes of the state labor agency and undertake the responsibilities associated with initiating this lawsuit (the "Action"). I understand that I am serving as one of the named representative plaintiffs ("PAGA Representative") on behalf of the state of California and on behalf of other similarly situated and aggrieved employees ("Aggrieved Employees") in California in connection with the PAGA representative claims. I understand that Aggrieved Employees is defined as a person employed by Defendant as a non-exempt employee in California and who worked for Defendant during the PAGA Period, which is from September 15, 2022 to December 31, 2025.

5. I retained the law firm of D.Law, Inc. to represent me in this lawsuit against Defendant for the alleged practices and violations as now stated in the operative Complaint in the action. My complaint was then amended to include a PAGA representative cause of action and was filed on May 21, 2024 in the Superior Court of the State of California for the County of

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Orange. Ultimately, my individual and PAGA representative claims were alleged in the present action through the filing of a First Amended Complaint on September 9, 2026 in another action against the same Defendant ("Operative Complaint"). The Operative Complaint alleges causes of action against Defendant for Civil Penalties under Labor Code section 2698, *et seq*.

6. The Operative Complaint resulted from multiple conversations I had with my attorneys ("PAGA Counsel") and their staff regarding Defendant's policies and practices. I also understand that the Operative Complaint has alleged, among other things, that Defendant required Aggrieved Employees to work through rest breaks and meal periods, and failed to reimburse business expenses for uniform items, mileage, tools, and cell phone expenses.

7. I believe that I am similarly situated to all other Aggrieved Employees who worked for Defendant during the PAGA Period and who were similarly affected by Defendant's policies and practices. I believe my claims against Defendant are typical of the other Aggrieved Employees, as the claims asserted in the Operative Complaint, and are also shared by the other Aggrieved Employees.

8. From the beginning of my involvement in this case and prior to filing the initial Complaint, my attorneys informed me about what it meant to be serving as the PAGA Representative on behalf of the State of California, and on behalf of other similarly situated and Aggrieved Employees. I understood that I was expected to represent the other employees' interests, placing them ahead of my own. I signed an acknowledgment of my duties as the PAGA Representative at the outset of this action.

9. I believe that my interests have been and continue to be aligned with all Aggrieved Employees, and I have been and am willing to continue to pursue the Aggrieved Employees' claims vigorously on our collective behalf. As a result, I believe I do not have any interests that are adverse to the interests of the Aggrieved Employees.

10. I have actively participated in this litigation and have been updated on the progress of the case. I have provided documents to PAGA Counsel in support of the PAGA claims and spent many hours discussing my claims and information regarding my employment by Defendant. I have also invested significant time and efforts in performing my duties on behalf of the Aggrieved Employees, including during the initial complaint drafting process, in response to informal discovery before mediation, speaking with PAGA counsel about other witnesses and

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answering questions in connection with the mediation and ongoing settlement negotiations, and now through the Settlement approval process.

11. I estimate I have devoted approximately at least **30 hours** of my time to this action and vigorously representing the interests of the Aggrieved Employees, including by performing the following:

a) Researching the issues and claims I could bring against Defendant and talking to my attorneys about initiating this action;

b) Being interviewed in detail by my counsel regarding the working conditions we operated under for Defendant, and particularly my experiences and the policies and practices that applied to my employment and the employment of the other similarly situated employees;

c) Searching for and gathering relevant documents in my possession and providing them to my attorneys, and reviewing all documents produced by Defendant;

d) Speaking with and informing my attorneys of the identities of potential witnesses and Aggrieved Employees;

e) Reviewing settlement-related documents and working with counsel to prepare and provide executed final versions of the Settlement Agreement. I have also worked with counsel in connection with the motion for approval of Representative Action Settlement in drafting this Declaration; and

f) Regularly receiving and responding to correspondence and phone calls from my attorneys regarding the claims and case status and then the Settlement and other related documents.

12. I have chosen to serve as the PAGA Representative Plaintiff on behalf of other similarly situated and Aggrieved Employees despite my concerns about how my role in this Action may adversely affect my prospects for future employment given that this Action and the settlement is public information accessible by prospective employers.

13. I took a huge risk by coming forward to help with this Action. If I had lost the case and also been ordered to pay Defendant's litigation costs, then it would have been financially devastating to me.

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14. I have reviewed with my counsel the Settlement Agreement we have negotiated with Defendant in this action on behalf of the Aggrieved Employees. I agreed to the terms because I believe the Settlement is fair and reasonable.

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

Executed this October 5, 2026, at Ridgecrest, California.

Signed by:

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Arturo Gandara