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5 Attorneys for Plaintiff,
DAVID VILLATORO, on behalf
6 of himself and all others similarly situated

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

9

FOR THE COUNTY OF SAN FRANCISCO

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11 LETICIA HAYNES, on behalf of herself and all	) CASE NO.: CGC-22-603761
others similarly situated,	)
12	)
Plaintiffs,	) DECLARATION OF <i>DAVID</i>
13	) <i>VILLATORO</i> IN SUPPORT OF
v.	) MOTION FOR PRELIMINARY
14	) APPROVAL
TOWER WAV LLC, a California limited liability	)
15 company; and DOES 1 through 100, Inclusive	)
16	)
Defendants.	)
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1 I, David Villatoro, say and declare, as follows:

2 1. I am a party to this action and have personal knowledge of all the facts stated
3 herein and if called as a witness, could and would competently testify therein.

4 2. This declaration is being submitted in support of the preliminary approval of the
5 class action settlement.

6 3. I was employed by Defendant at their Los Angeles location in California from
7 approximately June 2022 until approximately February 2023. Throughout my employment, I
8 received additional compensation that was not included in determining the regular rate for
9 overtime and sick pay purposes. I was also not provided with compliant meal and rest periods.
10 These type of experiences were common to other employees who I worked with, and therefore I
11 feel that by bringing my lawsuit it was important to vindicate our rights.

12 5. I understand the duties I have as a class representative in my lawsuit and am willing
13 and able to serve as adequate class representative.

14 6. I have been actively involved in this litigation for its entire duration. For instance, I
15 provided first hand knowledge of the policies and practices as they related to timekeeping, payment
16 of wages, meal periods, rest periods, etc. This information was helpful to my attorneys in
17 preparing for mediation. I also participated in mediation. This was a stressful undertaking, but a
18 necessary one to pursue the claims for me and my fellow workers.

19 7. Again, I understand that as class representative, I must assist counsel in prosecuting
20 this action on behalf of the class. I have made myself available to date, and will continue to do so,
21 to represent the interest of absent class members to the best of my ability.

22 8. To my knowledge, there are no conflicts, disabling or otherwise, exist between me
23 and similarly situated employees because I contend that I have been damaged by the same conduct
24 and have the incentive to fairly represent all similarly situated employees claims to achieve the
25 maximum possible recovery. Indeed, I stand in the same shoes as the similarly situated employees
26 with the same incentive to maximize the overall recovery.

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9. I understand that I may be entitled to an enhancement award for acting as a class representative, but knew all along that I could be subjected to costs and fees, financial and professional risks, if I was not successful. I have also agreed to provide a general release, which is broader in scope than the release for other employees. Therefore, I believe that the enhancement award is fair and reasonable.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct this 07/29/27 day of July 2026.


David Villatoro