

1 MARALLE MESSRELIAN (SBN 316974)

2 maralle@mmlawapc.com

3 MM LAW, APC

4 500 N. Brand Blvd., Ste 2000

5 Glendale, CA 91203

6 Telephone (818) 810-7747

7 Facsimile (818) 230-9018

8 Attorneys for Plaintiff,

9 NORIELL HOFF

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF RIVERSIDE**

12 **(UNLIMITED JURISDICTION)**

13 NORIELL HOFF, individually, and on
14 behalf of other aggrieved employees pursuant
15 to the Labor Code Private Attorneys General
16 Act of 2004,

17 *Plaintiff,*

18 vs.

19 ANTHEM MECHANICAL, a California
20 corporation; MICHAEL SOLOMON, an
21 individual; and DOES 1 to 25, inclusive,

22 *Defendant(s).*

Case No.: CVRI2401199

23 **DECLARATION OF NORIELL HOFF IN**
24 **SUPPORT OF PLAINTIFF'S MOTION**
25 **FOR APPROVAL OF PAGA**
26 **SETTLEMENT**

27 *Assigned for All Purposes to*
28 *Hon. Harold W. Hopp in Department 1*

Action filed: 03/01/2024

Hearing Date: 05/08/2025

Hearing Time: 8:30 a.m.

Hearing Dept: 1

Reservation ID: 601781060090

DECLARATION OF NORIELL HOFF IN SUPPORT OF
PAGA SETTLEMENT AND RELEASE

I, NORIELL HOFF, declare and state as follows:

1. I am a resident of the State of California and am over 18 years of age. I am the named Plaintiff in this action and am represented by Maralle Messrelian of MM Law, APC in this action. Except as otherwise stated, I have personal knowledge of all matters set forth in this declaration and could and would competently testify thereto if called upon to do so as a witness.

2. I first started working for Defendants Anthem Mechanical and Michael Solomon (collectively "ANTHEM" or "Defendants") on or around March 6, 2023 as a "Commercial Construction Associate" for HVAC installation. My employment with Defendants ended on or around early December 2023.

3. I understand that this lawsuit is a Private Attorney General action, otherwise known as a PAGA lawsuit. I understand that I am the Plaintiff and that Anthem Mechanical and Michael Solomon are the Defendants. I understand that my name is on the cover of the lawsuit. I understand that I am the representative of other ANTHEM employees. As the representative in this lawsuit, I have duties to the State of California and other employees like me who were not paid for all hours worked at the correct rates of pay, provided all required meal and rest periods, and reimbursed for necessary business expenses, such as personal mobile phones for work purposes. I also understand that my lawsuit is on behalf of the State of California. I have fairly represented the other employees and the State throughout this lawsuit.

4. I understand that the Court will decide whether to approve the Settlement if it is in the best interests of Defendants' other hourly employees and the State. I don't have any disagreements with the other ANTHEM employees I represent. I am not aware of any reason why I can't make the best decisions for them in this lawsuit.

5. I understand that my attorneys have asked the Court to pay me \$10,000.00 as a PAGA Representative Service Payment for my contribution to this case, as well as for providing Defendants with a general release of all claims, whether known or unknown, I may have against Defendants, not only PAGA claims. This is a significant sacrifice. I believe this amount is fair

1 for the time I have spent and my involvement in this lawsuit. As part of this Settlement, I am
2 giving up my right to sue Defendant for anything. I also believe it is fair because of the risk that
3 the Court could order me to pay ANTHEM's court costs if I lose the case. I think it is fair that
4 the Court pay me the \$10,000 award for these reasons and others I list below.

5 6. When I agreed to hire my attorneys to file this lawsuit, I also agreed that I would
6 be the representative of the other employees and the State of California. In agreeing to be their
7 representative, I agreed that the interests of the other employees and the State in the lawsuit are
8 as important as my personal interests in suing ANTHEM. I agreed that I would do what is in the
9 best interest of the other employees and the State when deciding whether or not to settle this
10 lawsuit. I also agreed to actively participate in the lawsuit. I also understand that there will only
11 be a settlement of the lawsuit if the Court allows it. As the representative of the other employees
12 and the State of California, I have agreed to follow the progress of the lawsuit. I have done this
13 since I hired my attorneys by reading the court documents they send me and by speaking with
14 them over the phone.

15 7. The PAGA statute does not forbid service awards. Courts frequently award them
16 in PAGA-only cases as well. The work I have done on this case includes hiring my attorneys,
17 speaking with my attorneys on many occasions by phone, explaining what my employment at
18 ANTHEM was like, explaining what my employment at ANTHEM had in common with other
19 employees who worked for ANTHEM, explaining my claims to my attorneys, speaking with
20 the mediator during the mediation, and communicating with my attorneys about the settlement
21 agreement and related documents. I have also carefully reviewed the Settlement agreement and
22 other documents to make sure that the Settlement and other work my attorneys performed are
23 in the best interests of the employees I represent and the State of California.

24 8. Because I filed this lawsuit, there is a public record at the Court showing my
25 name on the cover of the complaint for anyone to see. Any potential employer who finds the
26 lawsuit will know I sued a former employer. This could hurt my reputation. This could prevent
27 a potential employer from choosing to hire me. An award of \$10,000.00 is not equal to the harm
28 I would suffer if I can't find another job in the future.

9. Based on the time I have spent on the lawsuit, the risk I will have to pay ANTHEM's court costs if I lose, the harm to my chances of getting jobs in the future, and my agreement to give up any personal claims for unpaid wages and monetary penalties I have against ANTHEM, my request for an award of \$10,000 is fair and reasonable.

I declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

Executed on March 30, 2025 at Desert Hot Springs, California.

72K
Noriell Hoff (Mar 31, 2025 11:53 PDT)

NORIEL HOFF,
Declarant