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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

RUDY HERNANDEZ, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

ABLE SHEET METAL, INC. a California
corporation; and DOES 1 through 100,

Defendants.

Case No. 23STCV26056

*[Assigned to the Hon. Laura A. Seigle,
Dept. 17]*

**DECLARATION OF RUDY
HERNANDEZ IN SUPPORT OF
PLAINTIFF'S MOTION FOR
APPROVAL OF SETTLEMENT OF
CLAIMS BROUGHT UNDER THE
PRIVATE ATTORNEYS' GENERAL
ACT AND REASONABLE
ATTORNEYS' FEES, COSTS, AND
ENHANCEMENT PAYMENT**

Date: May 21, 2025
Time: 9:00 a.m.
Dept.: 17

Complaint filed: October 24, 2023
Trial Date: None Set

DECLARATION OF RUDY HERNANDEZ

I, Rudy Hernandez, declare as follows:

1. I am an individual over the age of 18 and am the named plaintiff in this matter against Able Sheet Metal, Inc. (“Able Sheet Metal”). This declaration is submitted in support of approval of the Settlement Agreement 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.

2. I worked for Able Sheet Metal as a non-exempt employee in the position of “Warehouse Worker” in the shipping and packaging departments, from approximately November 29, 2021 until approximately May 15, 2024.

3. While working for Able Sheet Metal, I was subject to Able Sheet Metal’s wage and hour policies and practices at issue in this case. During at least a portion of my employment, I was subject to Able Sheet Metal’s timekeeping practices, which I believe resulted in me and other aggrieved employees not being compensated for all hours actually worked. Although Able Sheet Metal utilized a timekeeping that recorded punches to the minute, my time was rounded to the nearest hour. I was also often unable to take a full, 30-minute off-duty meal period starting before the end of my fifth hour of work. My first meal periods were often late or lasted fewer than 30 minutes. I was also frequently not provided with a second meal break during shifts over 10 hours. In addition, I was not always able to take off-duty rest periods of a full ten minutes of during my employment due to constant work demands. As a result of these violations, it is my understanding that I was not paid all wages owed to me when I stopped working for Able Sheet Metal and that I was not provided with accurate itemized wage statements.

4. When I filed this lawsuit, I understood that this lawsuit could benefit my former co-workers, other Able Sheet Metal employees, and the State of California by helping to recover penalties on their behalf as a result of the alleged violations described above. I also understood that I was filing this case as an “aggrieved employee” on behalf of myself and my fellow “aggrieved employees” as well as the State of California.

5. When I filed this lawsuit, I knew there was a risk I could be liable for Able Sheet Metal’s costs if we lost the case. I also understood that filing a lawsuit is a public record. However,

1 I accepted those risks so that I could help recover penalties on behalf of other Able Sheet Metal
2 employees and the State of California. Even though I assumed these risks, to date, I have not
3 suffered any actual adverse consequences because I filed this lawsuit. I have personally not
4 incurred any expenses in prosecuting this action.

5 6. I have been actively involved in this case since it started in 2023. I have had many
6 phone conversations and meetings with my attorneys throughout this case to discuss Able Sheet
7 Metal's wage and hour policies and practices, identify potential witnesses, and discuss case
8 strategy. I also gathered and reviewed documents for use in the lawsuit and reviewed relevant
9 documents with my attorneys. I estimate that I have spent approximately 35-40 hours performing
10 these activities in order to help the case.

11 7. I understand that my attorneys will request that the Court approve an enhancement
12 payment of \$5,000.00 for my efforts on behalf of the aggrieved employees. I believe this amount
13 is reasonable based on the amount of time and effort I have devoted to this case and the risks I
14 have undertaken as a representative, and my general release of claims, as described above. My
15 support for the Settlement is not contingent on me receiving this enhancement payment

16 I declare under penalty of perjury under the laws of the State of California and the United
17 States that the foregoing is true and correct. Executed on February 28, 2025
18 at Alhambra, California.



Rudy Sebastian Hernandez (Mar 3, 2025 10:49 PST)

Rudy Hernandez