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13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **COUNTY OF ALAMEDA**

15 JOHNATHAN VIGIL and TAMARA
16 CASTEEL, individuals, on behalf of
17 themselves and all persons similarly situated,
18 and on behalf of the State of California, as
19 private attorney general,

20 Plaintiffs,

21 vs.

22 ALASKA AIRLINES, INC., a corporation;
23 and DOES 1 through 50, inclusive,

24 Defendants.

CASE NO.: 24CV060637

**DECLARATION OF JOHNATHAN VIGIL
IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Hearing Date: February 27, 2025

Hearing Time: 2:30 p.m.

Reservation ID: 583343376773

Judge: Hon. Peter Borkon

Dept.: 15

Action Filed: January 19, 2024

Trial Date: Not set

1 I, Johnathan Vigil, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a proposed Class Representative in
3 the above-entitled matter. I submit this declaration in support of the Motion for Preliminary
4 Approval of Class Settlement and in support of my application for a Class Representative Service
5 Payment.

6 2. I have personal knowledge of all the facts stated herein. I could and would
7 competently testify under oath to these facts in court if requested to do so.

8 3. I have worked for defendant Alaska Airlines, Inc. ("Alaska") in California from
9 2011 to present, and during that time period I have been classified by Alaska as a non-exempt
10 employee.

11 4. I retained my attorneys who are experienced in both class action and PAGA
12 representative action litigation and claims against employers for violations of the California Labor
13 Code. I have no personal relationship or family ties to my attorneys or any officer of the Court. I
14 am not aware of having any actual or potential conflicts of interest with another class member in
15 this case nor am I aware of having any actual or potential conflicts of interest with ILYM Group,
16 Inc., the settlement administrator. I am not aware of any other pending matter or action asserting
17 claims that will be extinguished or adversely affected by this settlement.

18 5. I am employed by Alaska as a Flight Attendant at the San Francisco International
19 Airport. I decided to file this class action lawsuit and be a plaintiff/class representative because I
20 felt that my legal rights as an employee and others like me were violated. For example, I was not
21 paid for all the time I worked. For instance, I was only paid for the time I waited at an airport
22 between flights if the time exceeded two hours. Even if I was paid for my non-productive time,
23 sometimes I would make less than minimum wage.

24 6. I spoke to my attorneys several times and discussed how Alaska implemented its
25 company policies and procedures. I also assisted my attorneys in their investigation into my
26 claims by providing them documents and answering their questions. I reviewed the complaint
27 before it was filed and was given access to an electronic file sharing program that alerted me via
28 email when important documents were filed so that I could review them and keep up with the

1 developments in the case which I understood was one of my duties as a class representative. I
2 could also access court filings from this case on my attorney's law firm website.

3 7. Even though this action is in the process of settling, I was and remain prepared to
4 perform all the duties of a class representative. I understand that as a class representative I have
5 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent class
6 members. I have understood that as a fiduciary, I have a duty to prosecute this action for the
7 benefit of the class members and surrender any right to compromise the group action for an
8 individual gain.

9 8. I understood that being a plaintiff/class representative in this case meant that I was
10 seeking damages not only for myself but also other current and/or former non-exempt employees
11 working for Alaska in California who make up the class. I felt that these individuals were not
12 aware of their labor law rights and even if they were they would probably be apprehensive about
13 speaking up or even simply because of the time, effort and risk involved in filing a class action
14 lawsuit.

15 9. I understood that being a part of this lawsuit involved risks. For example, my
16 attorneys explained to me that if the case went to trial and we lost, I could be held responsible to
17 pay for all or part of the attorney fees and costs paid by Alaska to defend this lawsuit. Also, I
18 knew there was a risk that future employers, if they ever find out about this lawsuit, could hold it
19 against me or downgrade me as a potential hire. As a named Plaintiff in this case it would not be
20 difficult for a future employer to become aware that I sued a former employer for labor law
21 violations. Ultimately, I decided these risks were worth it and decided to fight for my rights and
22 the rights of others regardless of the risks, time and effort I spent on this case.

23 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also
24 kept up to date on important developments by reviewing court filings that were made available to
25 me electronically as I described above.

26 11. A mediation took place on August 23, 2024, with Hon. James Otero (Ret.), a well-
27 respected and experienced mediator of wage and hour class actions. At the mediation, the parties
28 were able to reach an agreement to settle the action. I communicated with my attorneys regarding

1 the terms of the settlement which was reached between the parties and understood that I was
2 representing absent class members and therefore wanted the best possible result to be obtained for
3 the class members and I believe a very positive result was in fact achieved via settlement.

4 12. I have been actively involved with this lawsuit performing the duties described
5 above. Although I did not keep time records, I was in regular contact with my attorneys, reviewed
6 court filings, and spent a significant amount of time on the issues presented during the lawsuit and
7 in the settlement process. I estimate that I spent approximately 30-40 hours working on this case
8 up until this point. I believe I have been diligent and have done what is expected of a named
9 plaintiff and a proposed class representative to date, and will continue to do so. I have and always
10 will maintain the best interest of the class members.

11 13. My attorneys explained to me that the settlement process involves a two-step
12 review by the Court to determine whether the settlement is fair before approving the settlement. I
13 know this process also involves notifying all class members of the settlement terms and of their
14 rights to make a claim for their settlement share, to opt out of the settlement or to object to the
15 settlement.

16 14. I believe I did the right thing by filing this case on behalf of the class members
17 who, subject to court approval, are in line to receive monetary payments as a result of this case and
18 settlement. This is money they may never have ever gotten if I did not pursue this action on their
19 behalf. I feel significant personal satisfaction to know that I played a role in the class members
20 being entitled to monetary payments as a result of the filing of this lawsuit. I also believe that the
21 requested Class Representative Service Payment of \$10,000 from the settlement is fair
22 compensation for the work I performed and the risks I undertook.

23 15. As part of the settlement it was necessary for me to sign a general release of all
24 claims I may have against Alaska. I believe the Class Representative Service Payment I have
25 requested provides me with some compensation for this agreed release.

26 16. In light of all the time and effort I have spent on this case, the risk I undertook by
27 suing my employer, the exposure to being responsible for paying the defendant's costs in the event
28 we did not win the case, the reputational risk that future employers may hold this lawsuit against

1 me, the general release and in light of the size of the settlement, I believe the request for \$10,000
2 as a Class Representative service payment is fair and reasonable.

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

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6 Executed on 01/10/2025, at San Francisco, CA.
7 (city, state)

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Johnathan Vigil (Jan 10, 2025 14:51 PST)
Jonathan Vigil

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