

1 EVAN S. GAINES, Esq. SBN 287668
2 **GAINES LAW CORPORATION**
3 4550 E. Thousand Oaks Blvd., Suite 100
4 Westlake Village, CA 91362
5 Telephone: (805) 892-8200
6 Facsimile: (805) 800-8928
7 Email: evan@gaines.law

8 Attorneys for Plaintiff Bernardo Duran
9 and Proposed Class Counsel

10
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF IMPERIAL**
13

14 BERNARDO DURAN, on behalf of himself
15 all others similarly situated, the general
16 public, and all “aggrieved employees”
17 pursuant to Labor Code § 2698 *et seq.*,

18 Plaintiff,

19 v.

20 J.S. HOMEN TRUCKING, INC., a California
21 corporation, and DOES 1 through 10,
22 inclusive,

23 Defendants.
24
25
26
27
28

CASE NO: ECU004017

*Assigned to the Hon. L. Brooks Anderholt,
Dept. 9*

**DECLARATION OF BERNARDO
DURAN IN SUPPORT OF UNOPPOSED
MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND
UNOPPOSED APPLICATION FOR
APPROVAL OF ATTORNEYS’ FEES
AND COSTS, CLAIMS
ADMINISTRATION FEES, AND CLASS
REPRESENTATIVE’S ENHANCEMENT
PAYMENT**

Date: November 3, 2025

Time: 8:30 a.m.

Dept.: 9

Complaint Filed: March 25, 2025

DECLARATION OF BERNARDO DURAN IN SUPPORT OF UNOPPOSED MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND UNOPPOSED APPLICATION FOR APPROVAL OF ATTORNEYS’ FEES AND
COSTS, CLAIMS ADMINISTRATION FEES, AND CLASS REPRESENTATIVE’S ENHANCEMENT PAYMENT

1 I, Bernardo Duran, hereby declare and state as follows:

2 1. I am the named Plaintiff in this lawsuit against J.S. Homen Trucking, Inc.
3 (“Defendant”) and I submit this declaration in support of Plaintiff’s Unopposed Motion
4 for Final Approval of Class Action Settlement and Plaintiff’s Unopposed Application
5 for Attorneys’ Fees and Costs, Claims Administration Fees, and Class Representative’s
6 Enhancement Payment. I am a competent adult and worked for Defendant as a non-
7 exempt employee during the Class Period. I have personal knowledge of the facts set
8 forth herein, and if called as a witness to testify to them, I could and would do so
9 competently.

10 2. I contacted my current attorneys when I questioned the employment
11 practices of Defendant prior to commencing this lawsuit. I accepted the opportunity to
12 act as the Class Representative in a class action on behalf of other employees of
13 Defendant who I believed were being subjected to labor law violations. Although
14 presented with the opportunity, I did not pursue this case on an individual basis and
15 instead did so as a class action so that I could help other employees recover for what I
16 believed were Defendant’s illegal practices.

17 3. Specifically, I questioned Defendant’s policies of failing to pay all wages
18 due upon separation of employment and failing to provide accurate and complete wage
19 statements. Through many discussions with my lawyers, I learned these may be illegal
20 practices and Defendant’s employees might have recourse for them.

21 4. By bringing this lawsuit, and throughout its course, I have put the interests
22 of the class ahead of my own. I understood that I could possibly earn a small
23 enhancement payment if this case resolved itself favorably, but always knew that I could
24 also be responsible for paying Defendant’s attorneys’ fees and costs if it did not. My
25 goal in bringing this lawsuit was to obtain a recovery on behalf of the class, and even
26 more importantly, to put an end to what I believed were illegal practices on the part of
27 Defendant. I believe I have achieved both through this lawsuit and settlement.

5. I am very happy about the results of this litigation. I am satisfied that Defendant is compensating class members for unpaid wages, penalties, and interest that I believe we are due.

6. At the onset of this case, I spent time through numerous phone calls with my attorney explaining what I understood to be the policies and procedures of Defendant and how they were applied to me and others I worked with. During the course of this litigation, up through and following the settlement process, I kept actively involved with its status, tracking the status of the case and participating as much as possible.

7. While I have not maintained detailed time records of my activities in connection with this litigation, I believe that I have spent a total of approximately 15 hours assisting my attorney with the preparation of this case, and doing work and analysis independent from my attorney both before and during this case, including conducting an independent investigation of the facts.

8. Before this litigation commenced, and throughout its course, I have spent approximately 10 or more hours gathering, organizing, and reviewing documents and information for this lawsuit. I sifted through many of my own documents and reviewed information produced by Defendant as part of this case.

9. I have communicated with my attorney several times per month to track my case's status. I have taken an active involvement in this matter throughout its course.

10. This lawsuit will almost certainly result in reputational harm to me. There is a stigma associated with suing anyone, let alone your former employer. I will probably be adversely affected when it comes to obtaining future employment – employers who learn that I sued Defendant in a class action will likely avoid hiring me.

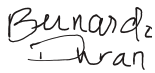
11. I do not believe that I have any conflicts with other members of the class.

My interests in bringing this lawsuit – for Defendant to change its labor practices going

1 forward and to compensate current and former employees – are the same as those of all
2 other class members.

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

5 Executed on 10 / 06 / 2025 at Hilmar, California.

6
7 
8 BERNARDO DURAN

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27