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8 Attorneys for Plaintiff Bernardo Duran,
9 on behalf of himself all others similarly situated,
10 the general public, and all “aggrieved employees”
11 pursuant to Labor Code § 2698 *et seq.*,
12

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF IMPERIAL**
15

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

21 Plaintiff,

22 v.

23 J.S. HOMEN TRUCKING, INC., a
24 California corporation, and DOES 1 through
25 10, inclusive,

26 Defendants.
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CASE NO: ECU004017

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

**DECLARATION OF BERNARDO DURAN IN
SUPPORT OF UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS AND
REPRESENTATIVE ACTION SETTLEMENT**

Date: July 21, 2025

Time: 8:30 a.m.

Dept.: 9

Complaint Filed: March 25, 2025

1 I, BERNARDO DURAN, hereby declare and state as follows:

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

8 2. I contacted my current attorney when I questioned the employment practices of
9 Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a Class
10 Representative in a class action on behalf of other employees of Defendant whom I believed were
11 being subjected to labor law violations in addition to asserting individual wage, hour, and
12 termination-related claims.

13 3. Specifically, I questioned Defendant’s policies of failing to timely compensate
14 employees upon separation of employment and issuing its employees deficient wage statements.
15 Through many discussions with my lawyer, I learned these may be illegal practices and
16 Defendant’s employees might have recourse for them.

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

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

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

4 7. While I have not maintained detailed time records of my activities in connection
5 with this litigation, I believe that have spent and will spend a total of approximately 20 hours
6 assisting my attorney with the preparation of this case, and doing work and analysis independent
7 from my attorney both before and during this case, including conducting an independent
8 investigation of the facts.

9 8. Before this litigation commenced, and throughout its course, I have spent
10 approximately 7 or more hours gathering, organizing, and reviewing documents and information
11 for this lawsuit. I sifted through many of my own documents and reviewed information produced
12 by Defendant as part of this case.

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

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

19 11. I do not believe that I have any conflicts with other members of the class. My
20 interests in bringing this lawsuit—for Defendant to change its labor practices going forward and
21 to compensate current and former employees—are the same as those of all other class members.

22 12. I also have two separate individual settlements with Defendant to settle claims
23 related to wrongful termination and for unpaid wages. The wrongful terminations claims were
24 handled by a separate law firm.

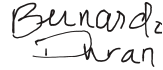
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1 I declare, under penalty of perjury, under the laws of the State of California that the
2 foregoing is true and correct.

3 Executed on 06 / 24 / 2025 at Hilmar, California.

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