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Attorneys for Defendant ALLIANCE MAINTENANCE SOLUTIONS, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SACRAMENTO
UNLIMITED CIVIL

SABASTIAN MONTALVAN ROQUE, on
behalf of himself, all others similarly situated,

Plaintiff,

vs.

ALLIANCE MAINTENANCE SOLUTIONS,
INC., a [Nevada] corporation; and DOES 1
through 10, inclusive,

Defendants.

Case No. 34-2021-00309658-CU-OE-GDS
(Lead Case); *Consolidated with Case No. 34-
2021-00313308-CU-OE-GDS*

[Assigned to: Hon. Jill H. Talley, Dept. 23]

**DECLARATION OF KEVIN H. NGAI IN
SUPPORT OF MOTION FOR
PRELIMINARY SETTLEMENT
APPROVAL**

Assigned for all Purposes to:
Hon. Jill H. Talley

Dept.: 23

SABASTIAN MONTALVAN ROQUE, on
behalf of the State of California and other
aggrieved persons,

Plaintiff,

vs.

ALLIANCE MAINTENANCE SOLUTIONS,
INC., a [Nevada] corporation; and DOES 1
through 10, inclusive,

Defendants.

1 I, Kevin H. Ngai, declare:

2 1. I am an attorney with the Law Offices of Thomas F. Nowland, which represents
3 Defendant ALLIANCE MAINTENANCE SOLUTIONS, INC. (hereinafter "Defendant") in this
4 matter. This declaration is submitted in support of Plaintiff SABASTIAN MONTALVAN
5 ROQUE (hereinafter "Plaintiff") (hereinafter together with Defendant "Parties") the Parties'
6 Motion for Preliminary Settlement Approval (hereinafter "the Motion").

7 2. The following facts are within my personal knowledge, except as to those matters
8 which are based on information and belief, and as to those matters, I believe them to be true to
9 the best of my knowledge. If called as a witness herein, I can and will competently testify
10 thereto.

11 3. Section 7.1 of the Motion provides that ILYM Group, Inc. shall serve as the
12 administrator of the settlement of this matter.

13 4. To my knowledge, there are no actual or potential conflicts of interest between
14 Defendant's counsel and ILYM Group, Inc. that would interfere with the fair and unbiased
15 administration of the settlement in this matter.

16 5. Section 4.4.3 of the Motion provides that for all uncashed settlement recipient
17 checks cancelled after the void date, the funds represented by such checks are to be deposited to
18 the California Controller's Unclaimed Property Fund in the name of the Class Member, subject
19 to the requirements of California Code of Civil Procedure Section 384, subd. (b).

20 6. To my knowledge, there are no actual or potential conflicts of interest between
21 Defendant's counsel and the California Controller's Unclaimed Property Fund. Defendant's
22 counsel has no interest in the Unclaimed Property Fund, including in its governance.

23 7. After making a reasonable inquiry, which includes searching the Defendant's
24 name on Westlaw's docket search, I am not aware of any other pending matter or action
25 asserting claims that will be extinguished or adversely affected by the settlement of this matter,
26 including any claims against Defendant similar to those asserted in this action.

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28

LAW OFFICES THOMAS F. NOWLAND

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NEWPORT BEACH, CALIFORNIA 92660

TELEPHONE: (949) 221-0005

1 Dated: September 17, 2024

By: 
Kevin H. Ngai, Esq.

PROOF OF SERVICE

Roque v. Alliance Maintenance Solutions, Inc.

34-2021-00309658-CU-OE-GDS

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I, Zeyra Ceballos, am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to this action. My business address is 15707 Rockfield Blvd., Suite 250, Irvine, California 92618. My electronic service address is zeyra.ceballos@wilshirelawfirm.com.

On **November 19, 2024**, I served the foregoing **DECLARATION OF KEVIN H. NGAI IN SUPPORT OF MOTION FOR PRELIMINARY SETTLEMENT APPROVAL**, on the interested parties by placing a true copy thereof, enclosed in a sealed envelope by following one of the methods of service as follows:

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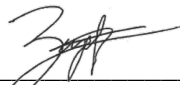
Attorneys for Defendant

(X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor & Workforce Development Agency Online Filing Site.

(X) **BY E-MAIL:** I hereby certify that this document was served from Irvine, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

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

Executed this **November 19, 2024**, at Irvine, California.



Zeyra Ceballos