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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

SABASTIAN MONTALVAN ROQUE,
individually, and on behalf of all others similarly
situated,

Plaintiff,

v.

ALLIANCE MAINTENANCE SOLUTIONS,
INC., a 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

CLASS & REPRESENTATIVE ACTION

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

**DECLARATION OF PLAINTIFF
SABASTIAN MONTALVAN ROQUE IN
SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Complaint filed: October 13, 2021
Trial date: Not set

1 **DECLARATION OF PLAINTIFF SABASTIAN MONTALVAN ROQUE**

2 I, Sabastian Montalvan Roque, declare as follows:

3 1. I am an adult resident of the State of California, and, if called as a witness in this
4 action, I would testify truthfully to the matters described in this declaration. All of the matters
5 described in this declaration are within my personal knowledge, except those matters that are stated
6 to be upon information and belief. As to such matters, I believe them to be true.

7 2. I make this declaration entirely of my own free will and choice. I have not been
8 promised any benefit for doing so, and I have not been pressured into giving this declaration.
9 Before signing this declaration, I was given the opportunity to review it, make changes, and verify
10 the accuracy of its contents.

11 3. I am a former employee of Alliance Maintenance Solutions, Inc. (“Defendant”). I
12 worked for Defendant from approximately 2016 to approximately January 2021 as an hourly-paid,
13 non-exempt employee. Throughout the entirety of my employment, I was subject to all of
14 Defendant’s policies and practices that have been alleged as unlawful in the Class and PAGA
15 (Private Attorneys General Act) Representative Action Complaints.

16 4. I initiated this lawsuit because I was concerned that I was not paid properly for all
17 the hours that I worked, and I was not provided all of my meal and rest breaks.

18 5. By originating this lawsuit as a class representative, I hoped that I might be able to
19 change Defendant’s policies to better protect the working conditions of my co-workers. I also
20 understood that it was my duty as a class representative to represent the best interests of the class,
21 know about the lawsuit, assist my attorneys, and keep updated on the case.

22 6. I have invested a lot of personal time and energy into this lawsuit. As detailed more
23 fully below, I have spent approximately 50 hours on this case. I made it a priority to be actively
24 involved because I wanted to do everything I could to assist my attorneys in prosecuting this case.

25 7. Throughout this case, I spent a lot of time on the phone with my attorneys to get
26 updates about the case and provide them with information. For example, during some of the phone
27 calls, my attorneys and I were able to identify instances when I was not paid correctly.
28 Additionally, I spent countless hours on the phone with my attorneys in order to respond to

1 Defendant's discovery requests. Additionally, leading up to the mediations in September 2022 and
2 August 2023, I had multiple lengthy phone calls with Wilshire Law Firm regarding the claims at
3 issue and what was to transpire at the mediations.

4 8. Throughout the case, I also spent time looking for documents relevant to the case to
5 send to my attorneys. I spent numerous hours looking for these documents, including when I first
6 contacted my attorneys, before my attorneys filed the case, and before my case was mediated. I
7 also spent time reviewing legal documents in this case, including the retainer and settlement
8 agreement and discussed, in detail, the terms with my attorneys.

9 9. Additionally, I made myself fully available on the day of the mediations and was in
10 continuous contact with my attorneys to assist with any questions or issues that may have arisen.

11 10. I believe the settlement is a good settlement and I would recommend that the Court
12 approve it because I believe that this settlement is fair, adequate, and reasonable. I am glad that I
13 had the opportunity to represent the class in this lawsuit and that I was able to recover money
14 through a settlement for the class.

15 11. I did not make the decision to file a class action lightly. I was concerned by the
16 attention a publicly filed lawsuit, and especially a class action, would attract. My name would be
17 associated with a lawsuit that I filed against my former employer. I am mindful that prospective
18 employers might find out that I sued Defendant. Nevertheless, I felt that important rights were at
19 stake that hurt everyone, and something ought to be done about it.

20 12. I also understand that there was financial risk in bringing this lawsuit. For example,
21 I knew that if I did not prevail in this lawsuit that I could potentially be responsible for Defendant's
22 attorneys' fees and costs.

23 13. I understand that the settlement agreement provides a service payment to me of up
24 to \$10,000.00. I believe this amount is fair compensation for my time and effort on this case, for
25 helping to prosecute this case, and the risks with respect to my future employment. In addition,
26 the settlement requires that I enter into a general release, which I understand is broader than the
27 release that will bind other class members.

14. Based on my involvement in this case and the benefits provided to my former co-workers, I can say I helped stand up for the other workers who were too afraid to say anything to management because they did not want to risk losing their jobs or risk the stigma of suing an employer. I was not afraid to take that risk because I strongly care about helping out my former co-workers.

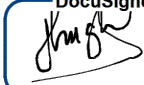
15. I reviewed (and ultimately signed) the Class Action and PAGA Settlement Agreement in full and my attorneys answered all the questions I had. I believe the settlement terms and allocations are fair, adequate, and reasonable given the strength of the class claims and Defendant's defenses.

16. I have no conflicts of interest with any class member or the Settlement Administrator, ILYM Group, Inc.

17. I am not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by the Settlement.

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

Executed on 11/14/2024, at City, California.

DocuSigned by:

07CEA3427343484...
 Sebastian Montalvan Roque

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 PLAINTIFF SABASTIAN MONTALVAN ROQUE IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**, 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:

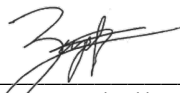
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Attorneys for Defendant

- (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