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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

JOSE MORAN, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

ARACA MERCHANDISE L.P., a New York
Limited Partnership; and DOES 1 through
100,

Defendants.

Case No.: 24STCV02003

*[Assigned for all purposes to the Hon. William F.
Highberger, Dept. SSC-10]*

**DECLARATION OF PLAINTIFF JOSE
MORAN IN SUPPORT OF APPROVAL OF
CLASS AND PAGA ACTION
SETTLEMENT**

Date: August 21, 2026
Time: 10:00 a.m.
Dept.: SSC-10

Action Filed: January 24, 2024
SAC Filed: August 27, 2025
Trial Date: None Set

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1. I am an individual over the age of 18 and the named plaintiff in this matter. This declaration is submitted in support of approval of the proposed settlement reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so. Since I do not speak or read English fluently, I was interviewed in Spanish for this declaration with the assistance of an interpreter, who reviewed it with me and translated its contents between English and Spanish.

3. Throughout my employment with Defendants, Defendants rounded my hours in fifteen-minute increments even though I recorded my clock-ins and clock-outs to the minute. I believe this meant Defendants did not pay me for every minute I worked. Defendants' supervisors also frequently called me on my personal cellular phone before I clocked in for my work shifts and after I clocked out of my shifts, during both meal periods and after the end of my workday, to discuss my job duties. However, Defendants did not pay me for this additional time I was engaged in work-related activities while off the clock. Additionally, due to my work demands, I regularly was not provided with a meal period before the end of my fifth hour of work, and I was never provided with a second meal period when I worked shifts over ten hours. Even when I did get to take a meal period, I had to clock-in and out for meal periods at exactly 30 minutes, meaning I had to allot time during my 30-minute meal periods to walking from the timeclock to the breakroom, and back, before the end of my meal period. This meant that my actual time I got to spend in the break room for my meal periods was less than 30 minutes. Also, as mentioned, Defendants frequently interrupted my meal periods with phone calls to discuss my work duties. Moreover, Defendants rarely authorized and permitted me to take any 10-minute rest periods. In the event I was allowed a rest period, I was required to return to work after *exactly* 10-minutes

1 from the time I left my workstation, despite it taking time for me to travel between the breakroom
2 and my workstation. Furthermore, Defendants required me to use my personal cellular phone for
3 work-related purposes, but Defendants did not reimburse me for using my personal cellular phone
4 for work purposes. Finally, after my employment with Defendants ended, I submitted a written
5 personnel and payroll records request, but Defendants never responded to my request.

6 4. When I first filed my lawsuit, I understood that it had the chance to benefit
7 Defendants' other workers by helping them recover money and penalties they were owed. I felt
8 that Defendants were not following the law, and I wanted Defendants to comply with the law and
9 treat their employees fairly. I have taken on a greater burden than any of the other class members
10 since I have been actively involved in the litigation since the outset, and because it is my name
11 attached to the lawsuit. Although I knew I would be filing a public lawsuit, I chose to move
12 forward with the case anyway. Through my efforts, Defendants have agreed to a settlement that
13 will benefit current and former employees of Defendants, and I believe that I should be
14 compensated for carrying the burden of this litigation for the benefit of the other employees.

15 5. I have been actively involved in this case since before it was even filed. Among
16 other things, I searched for relevant documents for use in the lawsuit and provided them to my
17 attorneys, I provided factual information to my attorneys, had numerous phone calls with my
18 attorneys to discuss the claims in the lawsuit and Defendants' policies and practices, assisted my
19 attorneys to help them prepare for mediation, made myself available throughout the mediation to
20 answer any questions posed by the mediator, discussed the status of the case with my attorneys,
21 reviewed the settlement agreement and assisted my attorneys in finalizing its terms, and otherwise
22 assisted my attorneys in moving this case towards resolution. I estimate that I have spent
23 approximately 20 to 25 hours in total on these activities.

24 I declare under penalty of perjury under the laws of the state of California and the United
25 States that the foregoing is true and correct. Executed on Jun 17, 2025, 2025 at Simi valley ca,
26 California.

27 JOSE MORAN
Jose Moran (Jun 17, 2025 16:01 PDT)

28 Jose Moran