

1 **JUSTICE FOR WORKERS, P.C.**

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8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF ORANGE**

11
12 JOSEPH VILLANUEVA, an individual and on
behalf of all others similarly situated;

13
14 Plaintiff,

15 vs.

16 NEWPORT PACIFIC CAPITAL COMPANY,
INC., a California corporation; and DOES 1
17 through 50,

18 Defendants.

Case No.: 30-2024-01380407-CU-OE-CXC

[Assigned for All Purposes to:
Hon. David A. Hoffer, Dept. CX 103]

**DECLARATION OF JOSEPH
VILLANUEVA IN SUPPORT OF
MOTION FOR APPROVAL OF PAGA
SETTLEMENT**

[Filed concurrently with Motion for Approval
of PAGA Settlement; Supporting
Declarations; and (Proposed) Order]

DATE: August 24, 2026

TIME: 1:30 p.m.

DEPT: CX-103

Action Filed: February 16, 2024

Trial Date: Not Set

1 I, Joseph Villanueva, hereby declare as follows:

2 1. I am an individual over the age of 18 year and the named Plaintiff in the above-
3 captioned matter. This declaration is submitted in support of approval of the proposed class action
4 settlement ("Settlement") reached in this case. I have personal knowledge of the facts contained in
5 this declaration, and if called as a witness, could and would testify as to their accuracy.

6 2. I was employed by Defendant Newport Pacific Capital Company, Inc. ("Defendant")
7 as an hourly-paid, non-exempt employee from approximately February 2022 to approximately June
8 2023 as an on-site property manager. During my employment with Defendant, I was subject to
9 Defendant's wage and hour policies and practices that are at issue in this case.

10 3. During my employment with Defendant, I was subjected to Defendant's policies,
11 procedures, and practices at issue in this case. I regularly worked off the clock afterhours and during
12 weekends without compensation, I often could not take my meal and rest breaks because my work
13 was too busy, I received incentive compensation which was not added to my overtime or paid sick
14 leave rates of pay, and I had to use my personal cellphone to make calls, receive text messages, take
15 pictures, and scan items for work, all without reimbursement, and I had to purchase my own office
16 chair and keyboard. As a result of these issues, I believe I was not paid all wages upon termination
17 of employment and I did not receive accurate wage statements.

18 4. I have been actively involved in this case since I first retained Justice for Workers,
19 P.C. ("JFW") in February 2024. Without waiving the attorney-client privilege, prior to filing this
20 lawsuit, my attorneys explained my role and responsibilities as a PAGA representative, and I
21 understand my responsibilities as a PAGA representative. Since retaining my attorneys, I have had
22 many discussions with the attorneys and staff at JFW, discussions regarding Defendant's wage and
23 hour practices and my claims in this case, potential witnesses, litigation strategy, updates on how
24 the case was proceeding, the Settlement, and how I could help the case and other employees of
25 Defendant. I also gathered and reviewed documents for use in the lawsuit and reviewed relevant
26 documents with my attorneys. I estimate I have spent approximately 20 hours prosecuting this case.

27 5. Furthermore, there is no conflict between my interests and the interests of the
28 aggrieved employees that I am seeking to represent. My interests are entirely coextensive with the

interests of the aggrieved employees. I allege that I was injured by the same company-wide policies and practices to which the aggrieved employees was subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests of the aggrieved employees by initiating this litigation, undertaking extensive class discovery, and evaluating the proposed settlement to assure that it is fair.

6. I understood that at the time I filed this action, as a PAGA representative, I owed a duty to the aggrieved employees to faithfully prosecute this action with their best interests at the forefront of every decision. I understood that I could not make any decision in this action for the sole benefit of my personal interest. I understood that in executing this duty, I might have been asked to sacrifice my personal best interests for the benefit of the interests of the putative class members. Nevertheless, I knowingly and voluntarily undertook this duty in order to provide the broadest possible relief for my former co-workers for what I perceived to be Defendant's unlawful wage and hour practices. I believe that I faithfully executed the duties of a PAGA representative throughout this litigation and will continue to do until this litigation is fully and finally resolved.

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

Executed on April 8, 2026 at Salinas, California.

Joseph Villanueva

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