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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

WILLIAM MORENO, LIZBETH
GONZALEZ VELAZQUEZ, SARAH
SANDOVAL, MUSTAFA ALKARKHI,
JACOB TERRY, and RALPH
HERNANDEZ, individually, and on
behalf of all others similarly situated,

Plaintiffs,

v.

ABC PHONES OF NORTH CAROLINA,
INC.DBA VICTRA, a North Carolina
corporation; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 23STCV31717

Related Case No.: 24STCV09415

Related Case No.: 24STCV12066

*[Assigned for All Purposes to the Hon. Elihu M.
Berle, Dept. 6]*

**DECLARATION OF PLAINTIFF JACOB
TERRY IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

Preliminary Approval Hearing:

Date: April 22, 2026

Time: 9:00 a.m.

Dept: 6

Action Filed: December 28, 2023

**DECLARATION OF PLAINTIFF JACOB TERRY IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

I, JACOB TERRY, declare and state as follows:

1. I am a resident of the State of California and am over 18 years of age. I am one of the named Plaintiffs in this action and am represented by Harout Messrelian of Messrelian Law, Inc. in this action. Except as otherwise stated, I have personal knowledge of all matters set forth in this declaration and could and would competently testify thereto if called upon to do so as a witness.

2. I first started working for Defendant ABC Phones of North Carolina, Inc. dba Victra in or around October 2023.

3. During my employment, I was classified as an hourly, non-exempt employee and worked in Sales. My employment with ABC Phones of North Carolina, Inc. ended on or around February 15, 2024.

4. I understand that the initial lawsuit I filed in Los Angeles Superior Court case no. 24STCV12066 included a Private Attorney General Act cause of action, otherwise known as a PAGA lawsuit or PAGA claim. I understand that I am the Plaintiff and that ABC Phones of North Carolina, Inc. ("ABC Phones") is the Defendant. I understand that my name is on the cover of that lawsuit. I understand that I am the representative of other ABC Phones employees. I also understand that I have joined as a class action representative in the present case of *William Moreno et al v. ABC Phones of North Carolina, Inc. dba Victra*. As the class representative in this instant lawsuit, I have duties to the State of California and other employees like me who were not paid correctly for all hours worked, and not provided all required meal and rest periods, among other violations. I have fairly represented the other employees and the State throughout this lawsuit. I don't have any disagreements with the other ABC Phones employees I represent. I am not aware of any reason why I can't make the best decisions for them in this lawsuit.

4. When I agreed to hire my attorneys to file this lawsuit, I also agreed that I would be the representative of the other employees and the State of California. I agreed that the interests of the other employees and the State in the lawsuit are as important as my personal interests in suing ABC Phones. I agreed that I would do what is in the best interests of the other employees

1 and the State when deciding whether or not to settle this lawsuit. I also agreed to actively
2 participate in the lawsuit. I also understand that there will only be a settlement of the lawsuit if
3 the Court allows it. I understood that being a plaintiff/class representative in this case meant that
4 I was seeking wage and hour damages not only for myself but also other individuals who worked
5 for the Defendants in California. I felt that these individuals were not aware of their labor law
6 rights and even if they were they would probably be apprehensive about speaking up or even
7 simply because of the time, effort and risk involved in filing a class action lawsuit.

8 5. Although I did not keep time records, I spent time and effort on this case. The
9 work I have done on this case includes hiring my attorneys, speaking with my attorneys by phone,
10 explaining what my employment at ABC Phones was like, explaining what my employment at
11 ABC Phones had in common with other employees who worked for ABC Phones, explaining my
12 claims to my attorneys, and communicating with my attorneys about mediation, the settlement
13 agreement and related documents.

14 6. I believe I did the right thing by filing this case on behalf of other employees who,
15 subject to court approval, are in line to receive monetary payments as a result of this case and
16 settlement. This is money they may never have ever gotten if I did not pursue this action on
17 their behalf. I feel significant personal satisfaction to know that I played a role in the other
18 employees being entitled to monetary payments as a result of the filing of this lawsuit. By
19 agreeing to settle the case in the best interest of the Class Members, I have given up the right to
20 pursue my individual claims for unpaid wages and penalties and to recover potentially more for
21 unpaid wages, interest, waiting time penalties, and pay stub penalties. While I have a pending
22 arbitration matter against Defendant for non-wage/FEHA claims, I chose to prosecute this
23 instant action on behalf of my coworkers through the class action/PAGA. By pursuing the
24 claims of all Class Members, I have also rendered my own individual payment uncertain and
25 delayed its payment by several months (at the least). In light of the time I have spent on this
26 case, the risk I undertook by suing a former employer, the exposure to being responsible for
27 paying Defendant's costs in the event we did not win the case, the reputational risk that future
28 employers may hold this lawsuit against me, the fact that I gave up my right to pursue my wage

1 and hour claims on an individual basis, and in light of the size of the settlement, I believe the
2 request for \$10,000.00 as a Representative Service Payment is fair and reasonable.

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

7 8. I have no conflicts of interest, actual or potential, with any class member or the
8 Settlement Administrator (Phoenix).
9

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

12 10. I am aware of the fee splitting agreement between the Plaintiffs' lawyers in this
13 case. I have consented to this fee split in a separate joint prosecution agreement between the
14 law firms that I have signed.

15
16 I declare under the penalty of perjury of the laws of the State of California that the
17 foregoing is true and correct to the best of my knowledge.

18 Executed on February 26, 2026 at Santa Clarita, California.

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21 JACOB TERRY,
22 Declarant
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