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David W. Slayton,
Executive Officer/Clerk of Court,
By J. Nunez, Deputy Clerk

Attorneys for Plaintiffs JOSE BAYLON and
CHRISTIAN GUTIERREZ, individually, on
behalf of themselves, all others similarly situated,
and the general public

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - SPRING STREET COURTHOUSE

JOSE BAYLON and CHRISTIAN
GUTIERREZ, individuals, on behalf of
themselves, all others similarly situated, and the
general public,

Plaintiffs,

v.

ARAMARK SERVICES, INC. and DOES 1
through 100, inclusive,

Defendants.

CASE NO. 23STCV04307

[Assigned to the Hon. Kenneth R. Freeman,
Dept. SSC-14]

CLASS ACTION

**DECLARATION OF JOSE BAYLON IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA
REPRESENTATIVE ACTION
SETTLEMENT**

Action Filed: October 2, 2020

Date: 01/07/2025

Time: 11:00 a.m.

Dept: SSC-14

DECLARATION OF JOSE BAYLON

I, JOSE BAYLON, hereby declare:

1. I have personal knowledge of the facts set forth in this declaration, and if called upon to testify thereto, I could and would do so both competently and truthfully.

2. I am one of the named plaintiffs in the above-captioned lawsuit.

3. I am submitting this declaration in support of a motion for preliminary approval of a proposed class action settlement.

4. I worked for Aramark Services, Inc. ("Aramark") at Providence St. John's Health Center in Santa Monica, California starting in or about July 2020 through February 25, 2021, at which time my employment was terminated.

5. Starting in or about July or August of 2020, to the best of my recollection, although it might have been earlier, and continuing until at least the time when I was terminated in February 2021, every person who entered the Providence St. John's Health Center in Santa Monica was required to pass through Covid screening. There were no exceptions.

6. As such, I was required to do so, and so were all my coworkers at Aramark, whenever we began our shift and whenever we returned from a meal period, when we exited the hospital to get a meal or simply take a break.

7. I was not paid for this time, and, to my understanding, neither were any of my colleagues.

8. I typically would have to return early during half-hour meal breaks, because, if I did not do so, I would be late due to the long lines.

9. Because I was not paid for the time spent waiting in lines, none of that time ended up being recorded on my wage statements.

10. I also was not provided any pay for that time when my employment ended with Aramark.

11. This lawsuit seeks compensation for these practices by Aramark, practices that affected not just me and my co-plaintiff, but they affected all of my co-workers at Aramark.

12. That is why I believed the case should be treated as a class action.

13. As a proposed class representative, I agreed to assume certain obligations for the benefit of my former coworkers at Aramark.

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1 14. From the outset, I understood that I was not only seeking compensation for myself, but also
2 for all other similarly situated employees who had experienced the same wage-and-hour violations
3 that I did.

4 15. I knew that I had a duty to stay informed of what was happening in the case and that I could
5 be asked to undertake a large amount of work as a class representative. I willingly agreed to accept
6 those obligations.

7 16. I understood that I was required to treat the interests of the other employees in the class I
8 seek to represent in the same manner as I would my own interests. In other words, I know that I
9 cannot put my own interests ahead of those of the class.

10 17. Throughout the course of this litigation, which has lasted almost two years, I have done that.

11 18. I understood that I could not have any legal conflicts with any members of the class I have
12 sought to represent, and I know of no such conflict between me and any of my former coworkers.

13 19. Moreover, I knew that I could not be a relative of my attorney or any of his staff members,
14 and I am not.

15 20. I also knew that I could not have a personal stake in any of the companies that might be used
16 to administer the proposed settlement in this case, such as the company ILYM Group, Inc. I do not
17 have any personal involvement with ILYM Group, Inc.

18 21. Since seeking out legal counsel to vindicate my rights, I have kept myself apprised of the
19 status of the case, and diligently pursued whatever action was required to abide by my
20 responsibilities as class representative.

21 22. I have participated in all aspects of this case by performing various tasks, including, but not
22 limited to: providing and explaining my work-related records to my attorneys, discussing with my
23 counsel relevant legal and factual issues in the case, including Defendant's policies, practices, and
24 procedures that are at issue in this case, identifying and helping locate potential witnesses, providing
25 factual information and strategic considerations in support of my claims, answering a multitude of
26 questions from my attorneys, providing information regarding the duties of other co-workers, and
27 discussing and evaluating the terms of the proposed settlement with my counsel.

28 23. I also underwent a deposition and had to spend a substantial amount of time preparing for
and traveling to the same.

1 24. I was obligated to assist my counsel in preparing a declaration in support of a motion for
2 class certification. That also took several hours.

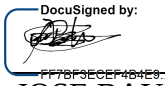
3 25. I understand that the proposed settlement is for \$115,000, and that from that amount, I am
4 seeking a service payment in the amount of \$5,000 on top of my share of the net settlement proceeds
5 (after fees, costs and costs of administration).

6 26. In total, my best estimate is that I have spent upwards of 55 hours assisting my counsel
7 during this litigation.

8 27. I am fully prepared to take on these obligations to serve as a class representative.

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

11 Dated: December 9, 2024

12 By: 
13 JOSE BAYLON, Declarant
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