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Attorneys for Plaintiff JOSE MANUEL AMARO BERNAL,
individually, and on behalf of Aggrieved Employees
pursuant to the California Private Attorneys General Act

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

JOSE MANUEL AMARO BERNAL,
individually, and on behalf of Aggrieved
Employees pursuant to the California Private
Attorneys General Act,

Plaintiff,

vs.

JOSEPH HOLT PLASTERING, INC.; and
DOES 1 through 25, inclusive,

Defendants.

Case No. 24STCV15637

Honorable Tiana J. Murillo
Department 78

**DECLARATION OF JOSE MANUEL
AMARO BERNAL IN SUPPORT OF
PLAINTIFF'S MOTION FOR APPROVAL
OF PAGA SETTLEMENT AND AWARD OF
ATTORNEYS' FEES AND COSTS,
GENERAL RELEASE FEE, AND
SETTLEMENT ADMINISTRATION COSTS**

Date: May 14, 2025
Time: 8:30 a.m.
Department: 78

Reservation ID: 359878987253

Complaint Filed: June 21, 2024
Trial Date: None Set

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1. I am over the age of eighteen (18) and a resident of the State of California. I am the named plaintiff in the above-entitled action. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.
2. I was employed by Defendant Joseph Holt Plastering, Inc. ("Joseph Holt") as an hourly-paid, non-exempt Plaster Worker from approximately February 2021 to February 2024.
3. During my employment, I questioned whether Joseph Holt was paying its employees correctly and I believed that I, along with other employees, were not being allowed to take meal and rest breaks lawfully, among other things. I wanted to take steps to make sure Joseph Holt was held accountable for not properly compensating its employees for all hours worked, not providing employees with lawful meal and rest breaks, and other related violations.
4. As a result, I decided to seek legal advice about my experience working for Joseph Holt and to obtain information about filing a lawsuit to redress these grievances. I contacted Blackstone Law, APC and spoke with their attorneys. After speaking with the attorneys, I also investigated class and representative action lawsuits on my own. Thereafter, I further consulted with the attorneys at Blackstone Law, APC about my situation, class actions, representative action lawsuits under the Private Attorneys General Act ("PAGA"), and what it meant to bring a class and PAGA action so that I understood what I was considering doing.
5. I have regularly communicated with my attorneys regarding the case and in order to fulfill my responsibilities as a PAGA representative. I have searched for and provided documents concerning my employment with Joseph Holt, reviewed documents with my attorneys and answered their questions, provided information and guidance regarding the duties of other hourly-paid and/or non-exempt employees, and helped determine what other documents and information they could obtain from Joseph Holt. I routinely checked in with my attorneys and their staff to make sure that they had all of my current information so that they could always reach me, and to provide any additional information that I had obtained.

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DECLARATION OF JOSE MANUEL AMARO BERNAL

1 6. I was always available to answer any questions my attorneys had and to speak and meet
2 with my attorneys whenever they needed me. I responded to them as quickly as possible and gave
3 them as much information as I could.

4 7. I understood that in the event this matter did not settle and proceeded with trial, I would
5 need to be in court to participate in the trial. I was ready to perform that role, as well as fulfill any
6 responsibilities that are necessary for this lawsuit.

7 8. I know that I took a sizeable risk by bringing and pursuing this lawsuit for several
8 reasons. First, I understood that if I lost, I would potentially have to pay the costs in the lawsuit. I
9 also understood there was a risk of losing any current job and/or income due to the time that I would
10 have to miss work in order to fulfill my duties and responsibilities in this matter, including having to
11 attend the trial, if needed. Most importantly, I believe that by pursuing this case, I have taken a
12 significant risk because future employers can easily find out that I sued my prior employer, and that
13 may negatively impact my ability to find employment within this industry – and even outside of it –
14 in the future. In contrast, the other employees who will be receiving money from this lawsuit did not
15 have to file a claim or take the risk that I took in bringing this action.

16 9. I reviewed the settlement agreement in this case and discussed it with my attorneys
17 before I signed it.

18 10. I believe that I have done everything that my attorneys have asked of me and tried, to
19 the best of my ability, to seek relief for the Aggrieved Employees and the State of California. I have
20 spent approximately 35-40 hours participating in this case as described above. I think my efforts
21 helped to get the result obtained in this case.

22 11. I understand that any resolution of this lawsuit on a representative basis is subject to
23 court approval. At all times throughout the course of this litigation I have considered the interests of
24 the Aggrieved Employees above my own personal interests.

25 12. I respectfully request that the Court approve and award me a General Release Fee in
26 the amount of \$10,000.00 for my efforts and active participation in the case and for the broader, general
27 release of all claims that I have or may have against Joseph Holt in connection with the settlement.
28 Taking into consideration the time that I dedicated to this case, I believe that this amount is reasonable.

13. I understand that Blackstone Law, APC will share attorneys' fees in this matter with Law Office of Michael Yap. I agreed to this in writing. I understand that the amount of attorneys' fees will not increase as a result of this fee sharing.

14. I am not related to anyone associated with Blackstone Law, APC or Law Office of Michael Yap.

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

Executed on 12/13/2024 at Garden Grove, California

LAB

Jose Manuel Amaro Bernal

PROOF OF SERVICE

Bernal v. JOSEPH HOLT PLASTERING, INC
Los Angeles County Superior Court, Case No. 24STCV15637

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, Daina Lindsey, certify and declare as follows:

I am over eighteen years of age and not a party to the within action; my business address is 8383 Wilshire Blvd, Suite 745, Beverly Hills, California 90211. On February 7, 2025, I served a copy of the following document(s): **DECLARATION OF JOSE MANUEL AMARO BERNAL IN SUPPORT OF PLAINTIFF'S MOTION FOR APPROVAL OF PAGA SETTLEMENT AND AWARD OF ATTORNEYS' FEES AND COSTS, GENERAL RELEASE FEE, AND SETTLEMENT ADMINISTRATION COSTS** on the interested parties as follows:

Boris Sorsher

Lisa L. Peterson

Fawn F. Bekam

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*Attorneys for Defendant JOSEPH HOLT
PLASTERING, INC.*

☒ **BY ELECTRONIC MAIL (E-MAIL):** I caused said document(s) to be delivered electronically to be delivered to the addressee(s) listed above via email from email address dlindsey@blackstonepc.com pursuant to California Code of Civil Procedure section 1010.6(e)(1). I did not receive any electronic message or other indication that the transmission was unsuccessful.

State of California, Labor & Workforce Development Agency

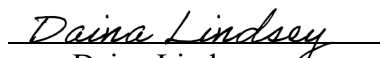
Web URL:

<http://www.dir.ca.gov/Private-Attorneys-General-Act/Private-Attorneys-General-Act.html>

☒ **BY ONLINE SUBMISSION:** The foregoing documents were transmitted to the California Labor and Workforce Development Agency through the online system established for the submission of notices and documents, in conformity with California Labor Code section 2699(l). I did not receive any electronic message or other indication that the transmission was unsuccessful.

☒ **STATE** – I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 7, 2025 at Beverly Hills, California.


Daina Lindsey