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8 Attorneys for Plaintiff,

9 EDGAR HERRERA

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **FOR THE COUNTY OF ALAMEDA**

12 **(UNLIMITED JURISDICTION)**

13 EDGAR HERRERA, individually, and on
14 behalf of other aggrieved employees pursuant
15 to the Labor Code Private Attorneys General
16 Act of 2004,

17 *Plaintiff,*

18 vs.

19 ENVIRONMENTAL REMEDIES, INC., a
20 California corporation; SCOTT TAMAYO,
21 an individual; and DOES 1 to 25, inclusive,

22 *Defendants.*

Case No.: 24CV092901

23 **DECLARATION OF EDGAR HERRERA**
24 **IN SUPPORT OF PLAINTIFF'S MOTION**
25 **FOR APPROVAL OF PAGA SETTLEMENT**

Action filed: September 24, 2024

Hearing Date: September 25, 2025

Hearing Time: 2:30 p.m.

Hearing Dept: 15, Hon. Peter Borkon

Reservation ID: 939189948398

DECLARATION OF EDGAR HERRERA

I, EDGAR HERRERA, declare and state as follows:

1. I am a resident of the State of California and am over 18 years of age. I am the named Plaintiff in this action and am represented by Maralle Messrelian of MM Law, APC 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 Environmental Remedies, Inc. ("ENVIRONMENTAL REMEDIES") in or around April/May 2021 as a laborer and driver. My employment with Defendants ended on or around June 14, 2024.

3. I understand that this lawsuit is a Private Attorney General action, otherwise known as a PAGA lawsuit. I understand that I am the Plaintiff and that ENVIRONMENTAL REMEDIES is the Defendant. I understand that my name is on the cover of the lawsuit. I understand that I am the representative of other ENVIRONMENTAL REMEDIES employees. As the representative in this lawsuit, I have duties to the State of California and other employees like me who were not paid for all hours worked at the correct rates of pay, provided all required meal and rest periods, and reimbursed for necessary business expenses, such as personal tools for work purposes. I also understand that my lawsuit is on behalf of the State of California. I have fairly represented the other employees and the State throughout this lawsuit. I don't have any disagreements with the other ENVIRONMENTAL REMEDIES 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 ENVIRONMENTAL REMEDIES. I agreed that I would do what is in the best interest of the other employees and the State when deciding whether or not to settle this lawsuit. I also agreed to actively participate in the lawsuit. I also understand that there will only be a settlement of the lawsuit if the Court allows it.

5. The PAGA statute does not forbid service awards. Courts frequently award them in PAGA-only cases as well. The work I have done on this case includes hiring my attorneys, speaking with my attorneys on many occasions by phone, explaining what my employment at ENVIRONMENTAL REMEDIES was like, explaining what my employment at

1 ENVIRONMENTAL REMEDIES had in common with other employees who worked for
2 ENVIRONMENTAL REMEDIES, explaining my claims to my attorneys, having my deposition
3 taken by Defendant, participating in mediation, and communicating with my attorneys about the
4 settlement agreement and related documents. Despite this, I am **not** asking for a service award
5 for my involvement and the time I spent assisting my counsel with the PAGA action.

6 6. I negotiated an individual settlement of my wage and hour claims after the Parties
7 had agreed to the Settlement of the PAGA action.

8 7. As part of my individual settlement, I signed a general release of all claims,
9 whether known or unknown, that I may have against Defendant, not only PAGA claims.

10 8. I don't believe that my individual settlement has any bearing on whether I have
11 served the Aggrieved Employees' best interests and will continue to do so. Nevertheless, I am
12 willing to provide it to the Court *in camera* if the Court so requests.

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

15 Executed on July ²³__, 2025 at Oakland, California.

16 Edgar E Herrera
17 Edgar E Herrera (Jul 23, 2025 10:43:54 PDT)
18 EDGAR HERRERA,
19 Declarant
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