

WILSHIRE LAW FIRM, PLC
660 S. Figueroa St., Sky Lobby
Los Angeles, CA 90017

WILSHIRE LAW FIRM, PLC
Tyler J. Woods, Esq. (SBN 232464)
tyler.woods@wilshirelawfirm.com
James Yoo, Esq. (SBN 310680)
james.yoo@wilshirelawfirm.com
Eddie Ponce (SBN 339713)
eddie.ponce@wilshirelawfirm.com
Ruby Carrera, Esq. (SBN 343745)
ruby.carrera@wilshirelawfirm.com
Alan Wilcox (SBN 287476)
alan.wilcox@wilshirelawfirm.com
Conor Gomez (SBN 337395)
conor.gomez@wilshirelawfirm.com
660 S. Figueroa Street, Sky Lobby
Los Angeles, CA 90017
Telephone: (213) 381-9988
Facsimile: (213) 381-9989

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF FRESNO

ANDRES VIAL-MARTIN, individually, and on
behalf of other members of the general public
similarly situated,

Plaintiff,

v.

SETHI MANAGEMENT, INC., a California
corporation; HILTON EMPLOYER INC., a
Delaware corporation; HILTON HOTEL
EMPLOYER LLC, a Delaware corporation;
HAMPTON INNS EMPLOYER LLC., a
Delaware corporation; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 24CECG00945
Assigned to: Hon. D. Tyler Tharpe, Dept. 501
Complaint filed: September 17, 2024
Trial date: Not Set

PAGA REPRESENTATIVE ACTION

**DECLARATION OF ANDRES VIAL-
MARTIN IN SUPPORT OF PLAINTIFF'S
MOTION TO APPROVE PAGA
SETTLEMENT**

DECLARATION OF ANDRES VIAL-MARTIN

I, Andres Vial-Martin, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All of the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am the named Plaintiff in this action filed pursuant to the Private Attorneys General Act (“PAGA”) and submit this declaration in support of Plaintiff’s Motion to Approve PAGA Settlement. Because I believe I have provided invaluable assistance during the course of this case, I am hopeful that the Court will approve my request of a \$10,000.00 service payment for my role as the PAGA Representative.

4. I am a former employee of Defendant Sethi Management, Inc. (“Defendant”). I worked for Defendant from approximately February 2023 to approximately February 2024 as a non-exempt, hourly employee. Throughout the entirety of my employment, I was subject to Defendant’s policies and practices that have been alleged as unlawful in the complaint.

5. I filed this lawsuit because I was concerned that I was not paid properly for all the hours that I worked, I was not provided all of my meal and rest breaks, and I was not reimbursed for all business expenses. While working for Defendant, my coworkers and I were asked to work long hours because of the amount of work, sometimes without taking meal and rest breaks and without receiving compensation for all hours worked. I also observed my co-workers working long hours without taking breaks.

6. By representing other aggrieved employees in this lawsuit, I hoped that I might be able to change Defendant’s policies to better protect the working conditions of my co-workers. I also understood it was my duty as the PAGA Representative to represent the State of California

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1 and other aggrieved employees, know about the lawsuit, help my attorneys, and keep updated on
2 the case.

3 7. Prior to commencing this case, I provided Wilshire Law Firm, PLC with a detailed
4 account of the facts related to my employment with Defendant. Additionally, I provided my
5 counsel with documentation in the form of pay statements that applied to my employment with
6 Defendant. Based on my conversations, my attorneys and I were able to identify instances when I
7 was not paid correctly.

8 8. I have invested a lot of personal time and energy while this lawsuit has been
9 pending. I made it a priority to be actively involved because I wanted to do everything I can to
10 assist my attorneys in prosecuting this case. I regularly communicated with my attorneys and their
11 staff to discuss updates on the case and to provide my attorneys with additional information.

12 9. I spent multiple hours looking for documents that my attorneys asked me to provide
13 to help this case.

14 10. I also made myself available during the mediation for this case and I kept in regular
15 contact my attorneys before and after the mediation to ensure that any questions the attorneys had
16 could be answered.

17 11. I also reviewed documents filed in this case, including the settlement-related
18 documents.

19 12. I believe the settlement is a good settlement and I would recommend that the Court
20 approve it because I believe that this settlement is fair, adequate, and reasonable in view of PAGA's
21 purposes. I am glad that I had the opportunity to represent the State of California and the aggrieved
22 employees in this lawsuit and that I was able to recover penalties through a settlement for the
23 aggrieved employees. I have also observed my attorneys' work throughout this case and I believe
24 they have been thorough, diligent, prompt, courteous, and professional.

25 13. I estimate that I spent **at least 40 hours on this case** since I first contacted Wilshire
26 Law Firm, PLC.

27 14. I did not make the decision to file this representative action lightly. I was concerned
28 by the attention a lawsuit, and especially a representative action, would attract. My name would

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be associated with a lawsuit that I filed against my former employer and I am mindful that future employers might find out that I sued a former employer, which could hurt my employability. In a competitive job market, this factor may weigh heavily against me.

15. Standing up for myself and the rights of others was not an easy decision, and I am relieved that this case is coming to an end.

16. I respectfully request that the Court award me a \$10,000.00 service payment. I am receiving no additional compensation other than the compensation provided for in the settlement. Based on my involvement in this case and the benefits provided to workers of Defendant, I can say I helped represent the other workers who may have been too afraid to say anything to management because they did not want to risk losing their jobs or risk the stigma of suing an employer. I was not afraid to take that risk because I strongly care about helping my fellow co-workers.

17. I reviewed and signed the PAGA Settlement Agreement in full and my attorneys answered all the questions I had. I believe the settlement terms and allocations are fair, adequate, and reasonable given the strength of the class claims and Defendant's defenses.

18. I have no conflict of interest with any class member or the Settlement Administrator, Phoenix Settlement Administrators, Inc.

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

Executed on 4/27/2026 at Fresno, California.

DocuSigned by:



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Andres Vial-Martin