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Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

BARTOLO NARANJO, an individual, on behalf)
of himself and on behalf of all persons similarly)
situated,)

Plaintiff,

v.

APEM, INC., a Corporation; IDEC)
CORPORATION, a Corporation; and Does 1)
through 50, Inclusive,)

Defendants.)

Case No. 24CU029650C

**DECLARATION BARTOLO
NARANJO IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT**

Hearing Date: May 29, 2026

Hearing Time: 10:15 AM

Judge: Wendy M. Behan

Dept: C-66

Complaint Filed: December 19, 2024

Trial Date: Not Set

1 I, Bartolo Naranjo, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a proposed Class Representative in the
3 above-entitled matter. I submit this declaration in support of the Motion for Preliminary
4 Approval of Class Settlement and in support of my application for a Class Representative
5 Service Payment.
6

7 2. I have personal knowledge of all the facts stated herein. I could and would competently
8 testify under oath to these facts in court if requested to do so.

9 3. During the class period I worked as a Machine Operator for Defendants APEM, Inc. and
10 IDEC Corporation ("Defendants") in California and during that time period, I was classified by
11 Defendants as a non-exempt employee.
12

13 4. I retained my attorneys who are experienced in both class action and PAGA
14 representative action litigation and claims against employers for violations of the California
15 Labor Code. I have no personal relationship or family ties to my attorneys or any officer of the
16 Court. I am not aware of having any actual or potential conflicts of interest with another class
17 member in this case nor am I aware of having any actual or potential conflicts of interest with
18 ILYM Group, Inc., the settlement administrator. I am not aware of any other pending matter or
19 action asserting claims that will be extinguished or adversely affected by this settlement.
20

21 5. I decided to pursue this class action lawsuit and be a plaintiff/class representative
22 because I felt that my legal rights as an employee and others like me were violated. For example,
23 I received non-discretionary compensation from time to time, such as bonuses, but these
24 payments during certain pay periods were not properly factored into my regular rate. I was
25 underpaid as a result. As another example, I often did not receive compliant meal and rest breaks
26 which were late, interrupted or missed entirely. I also did not receive all the meal and rest break
27

1 premiums I was entitled to and when I did receive premium payments they were often an
2 incorrect amount. As to rest breaks in particular, Additionally, I was required to use my personal
3 cellular phone for company business without reimbursement by Defendants. I was also required
4 to work off the clock at times, after hours for example, but I was not paid any wages for this time
5 I worked for the company.

6
7 6. I spoke to my attorneys several times and discussed how Defendants implemented their
8 company policies and procedures. I also assisted my attorneys in their investigation into my
9 claims by providing them documents and answering their questions. I reviewed the complaint
10 before it was filed and after it was filed I was given access to an electronic file sharing program
11 that alerted me via email when important documents were filed so that I could review them and
12 keep up with the developments in the case which I understood was one of my duties as a class
13 representative. I was in contact with my attorneys to answer questions. I would also contact my
14 attorneys from time to time if I had any questions about the case.

15
16 7. Even though this action is in the process of settling, I was and remain prepared to
17 perform all the duties of a class representative. I understand that as a class representative I have
18 assumed a fiduciary responsibility to prosecute this class action on behalf of the absent class
19 members. I have understood that as a fiduciary, I have a duty to prosecute this action for the
20 benefit of the class members and surrender any right to compromise the group action for an
21 individual gain.

22
23 8. I understood that being a plaintiff/class representative in this case meant that I was
24 seeking damages not only for myself but also other current and/or former non-exempt employees
25 working for Defendants in California who make up the class. I felt that these individuals were
26 not aware of their labor law rights and even if they were they would probably be apprehensive

1 about speaking up or even simply because of the time, effort and risk involved in filing a class
2 action lawsuit.

3 9. I understood that being a part of this lawsuit involved risks. For example, my attorneys
4 explained to me that if the case went to trial and we lost, I could be held responsible to pay for all
5 or part of the attorney fees and costs paid by Defendants to defend this lawsuit. Also, I knew
6 there was a risk that future employers, if they ever find out about this lawsuit, could hold it
7 against me or downgrade me as a potential hire. As the only named Plaintiff in this case it would
8 not be difficult for a future employer to become aware that I sued my employer for labor law
9 violations. Ultimately, I decided these risks were worth it and decided to fight for my rights and
10 the rights of others regardless of the risks, time and effort I spent on this case.

11
12 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also kept up
13 to date on important developments by reviewing court filings that were made available to me
14 electronically as I described above.

15
16 11. A mediation took place on September 9, 2025, with Deborah Saxe, Esq., a well-respected
17 and experienced mediator of wage and hour class actions. After the mediation the parties were
18 able to reach an agreement to settle the action. I communicated with my attorneys regarding the
19 terms of the settlement which was reached between the parties and understood that I was
20 representing absent class members and therefore wanted the best possible result to be obtained
21 for the class members and I believe a very positive result was in fact achieved via settlement. I
22 reviewed and signed the Memorandum of Understanding in September 2025, and when the final
23 settlement papers were ready, I closely reviewed the Class Action and PAGA Action Settlement
24 Agreement, which I signed on April 13, 2026.

25
26 12. I have been actively involved with this lawsuit performing the duties described above.

1 Although I did not keep time records, I was in regular contact with my attorneys, reviewed court
2 filings, and spent a significant amount of time on the issues presented during the lawsuit and in
3 the settlement process. I estimate that I spent approximately 40-50 hours working on this case
4 up until this point. I believe I have been diligent and have done what is expected of a named
5 plaintiff and a proposed class representative to date and will continue to do so. I have and always
6 will maintain the best interest of the class members.
7

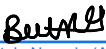
8 13. My attorneys explained to me that the settlement process involves a two-step review by
9 the Court to determine whether the settlement is fair before approving the settlement. I know
10 this process also involves notifying all class members of the settlement terms and of their rights
11 to make a claim for their settlement share, to opt out of the settlement or to object to the
12 settlement.
13

14 14. I believe I did the right thing by filing this case on behalf of the class members 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 their
17 behalf. I feel significant personal satisfaction to know that I played a role in the class members
18 being entitled to monetary payments as a result of the filing of this lawsuit. I also believe that
19 the requested Class Representative Service Payment of \$15,000 from the settlement is fair
20 compensation for the work I performed and the risks I undertook.
21

22 15. In light of all the time and effort I have spent on this case, the risk I undertook by suing
23 my employer, the exposure to being responsible for paying Defendants' costs in the event we did
24 not win the case, the reputational risk that future employers may hold this lawsuit against me,
25 and in light of the size of the settlement, I believe the request for \$15,000 as a Class
26 Representative service payment is fair and reasonable.
27

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

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4 Executed on 04/29/2026, at Escondido, California.
5 (city, state)

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7 Bartolo Naranjo (Apr 29, 2026 17:16:27 PDT)
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