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Attorneys for PLAINTIFFS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BERNARDINO

ADRIAN CASTRO and RODOLFO GARCIA,
individuals, on behalf of themselves, and on
behalf of all persons similarly situated,

Plaintiffs,

v.

CONVERGEONE, INC., a Minnesota
corporation; AAA NETWORK SOLUTIONS,
INC, a California corporation; and DOES 1-50,
Inclusive,

Defendants.

Case No. CIVSB2305464

**DECLARATION OF MICHAEL A. GOULD
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: February 10, 2025

Time: 8:30 a.m.

Judge: Hon. Charlie L. Hill, Jr.

Dept.: S-30

1 I, MICHAEL A. GOULD , declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California and I am the
3 president at the Gould Law Firm, a Professional Law Corporation. I represent named Plaintiff and Class
4 Representative, Adrian Castro, and the Members of the Class in this case. I make the statements herein
5 based on personal knowledge and would so testify if called as a witness.

6 2. This Declaration is submitted in support of Plaintiffs' Motion for Preliminary Approval
7 of Class Action and PAGA Settlement.

8 3. I have been an attorney for over thirty-three (33) years and practiced employment/labor
9 law since 1995. I have personally handled numerous matters covering all aspects of employment and
10 labor law, including but not limited to federal and state wage and hour cases, wrongful termination.
11 litigation, discrimination cases, administrative appeals involving wage and hour and other employment
12 issues, countless arbitrations, and various other matters involving both traditional labor law
13 (union/management law), and employment law issues in the non-union context.

14 4. I have tried many employment law cases to verdict and I am a member of the nation's
15 most prestigious trial lawyers' association—the American Board of Trial Advocates (ABOTA).

16 5. I have been Plaintiff's counsel in over fifty (50) wage and hour class actions/PAGA
17 actions involving application of California Labor Law which have been certified and/or settled
18 successfully after comprehensive mediation and compromise.

19 6. Because of the above, I believe I am qualified to evaluate the Class claims, to evaluate
20 settlement versus trial on a fully informed basis, and to evaluate the viability of the defenses alleged by
21 Defendant.

22 7. This action was a hard-fought battle against a tough Defendant and a premier Defense
23 Firm. This action was settled after a comprehensive evaluation of the strengths and weakness of
24 Plaintiffs' claims and Defendant's defenses. The Parties thoroughly investigated the strengths and
25 weaknesses of this case before reaching a settlement. This settlement is a fair compromise. The
26 settlement for each participating Class Member and the aggrieved employees is fair, reasonable and
27 adequate, given the inherent risk of litigation, the risk relative to class certification/PAGA

1 manageability, proving damages, and the costs of litigation. The settlement amount is, of course, a
2 compromise figure; it took into account what Defendant contended were risks related to legal issues
3 involved. The settlement also took into account the possibility that if a settlement was not reached after
4 many more months or even years in litigation, the cost and time could outweigh the benefits to the Class.
5 The proposed settlement is the product of serious, informed and non-collusive negotiations and is
6 otherwise proper; I recommended that it be given approval by the Court. The recovery for each Class
7 member is fair, especially given the risks inherent in litigation and the defenses asserted. This
8 settlement is fair, adequate and reasonable and in the best interests of the Class.

9 8. Plaintiff Adriana Castro has spent numerous hours working with Counsel in bringing this
10 class action lawsuit against Defendant. Plaintiff Castro participated in all stages of the litigation and has
11 been continually informed of all aspects of the litigation. In addition to the hours spent participating in
12 the prosecution of this case, Plaintiff Castro accepted the potential risk of being liable for Defendant's
13 costs if the case was unsuccessful. Plaintiff Castro also risked the potential stigma of being a Class
14 Representative in a Class Action labor dispute which could affect their future employability within the
15 insurance industry.

16 9. To date, The Gould Law Firm has advanced costs and expenses of \$835.10 in prosecuting
17 this Action. All costs advanced were necessary in prosecuting the Action on behalf of the Class and
18 were reasonable in their amount.

19 I declare under penalty of perjury that the foregoing is true and correct under the laws of the
20 State of California. Executed the 15th day of January at Tustin, California.

21
22 THE GOULD LAW FIRM

23
24 By: 

25 Michael A. Gould
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