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Attorneys for Plaintiff OSCAR ALMANZA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

OSCAR ALMANZA, an individual, on behalf
of himself and on behalf of all persons similarly
situated,

Plaintiff,

v.

HOPE OF THE VALLEY RESCUE
MISSION, a California Nonprofit Corporation;
and DOES 1-50, Inclusive,

Defendants.

Case No.: 22STCV17591

**DECLARATION OF PLAINTIFF OSCAR
ALMANZA IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

Hearing Date: April 5, 2024

Hearing Time: 10:30 a.m.

Judge: Hon. Stuart M. Rice

Department: 1

1 I, OSCAR ALMANZA, declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would competently
3 testify to the following facts from my own personal knowledge. I am a named Plaintiff in the above
4 wage and hour class action filed against HOPE OF THE VALLEY RESCUE MISSION (hereinafter
5 “Defendant”).

6 2. This declaration is being submitted in support of Plaintiff’s Motion for Preliminary
7 Approval of Class Action and PAGA Settlement.

8 3. I believe that I am, have been and will continue to represent the interests of the class
9 fairly and adequately. I have claims that are typical of the claims the Class Members that I am seeking
10 to represent.

11 4. Generally, my lawsuit claims that Defendant failed to pay for all hours worked, failed to
12 provide lawful meal and rest periods, failed to provide accurate itemized wage statements, failed to
13 provide wages when due, failure to reimburse employees for required expenses, and violations of
14 PAGA. I performed work for Defendant from November of 2020 through November of 2021.

15 5. I believe that my claims are typical of the claims of the Class Members that I am seeking
16 to represent because I worked for Defendant and was subject to the same practices affecting all other
17 Class Members concerning unpaid minimum and overtime wages, missed meal and rest periods,
18 unreimbursed business expenses, and received similar wage statements. Therefore, legally and
19 factually, I share the same claims as all other Class Members and can represent those workers
20 adequately. My claims and the Class Members’ claims arise from the same course of conduct by
21 Defendant, involve the same policies, are based on the same legal theories, and are subject to the same
22 defenses.

23 6. I do not have any conflicts of interests with other Class Members, and have prosecuted
24 the case vigorously on behalf of the Class. My interests are entirely coextensive with the interests of
25 the Class. I allege that I was injured by the same company-wide policies and practices to which the
26 proposed Class was subjected and seek the same relief. I have already demonstrated my ability to
27 advocate for the interests of the Class by initiating this litigation, assisting in the investigation of claims
28 alleged in the action, and evaluating the proposed settlement to assure that it is fair.

7. I am aware of my duties as the representative of the Class and have actively participated in the prosecution of this case to date. I have communicated with counsel, provided documents to counsel and participated in the investigation and negotiations in the Action. My interests are aligned with those of the Class. Like the rest of the Class Members, I seek monetary relief under the same set of facts and legal theories.

8. I understood at the time that I filed this action, that as a Class Representative, I owed a duty to the putative class members to faithfully prosecute this action with their best interests at the forefront of every decision. I understood that I could not make any decision in this action for the sole benefit of my personal interest. I understood that in executing this duty, I might have been asked to sacrifice my personal best interests for the benefit of the interests of the putative class members. Nevertheless, I knowingly and voluntarily undertook this duty in order to provide the broadest possible relief for the Class for what I perceived to be Defendant's unlawful wage and hour practices. I believe that I faithfully executed the duties of a Class Representative throughout this litigation and will continue to do until this litigation is fully and finally resolved.

9. I believe that the proposed settlement before the Court is fair, reasonable and adequate, and made in the best interest of the Class Members. Consequently, I respectfully, and humbly, I ask the Court to grant preliminary approval of the Settlement and all of its terms.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed 03/11/2024, at Los Angeles, California

By: Oscar Almanza (Mar 11, 2024 09:24 PDT)
OSCAR ALMANZA