

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)
Sydney Castillo-Johnson (State Bar #343881)
Monnett De La Torre (State Bar #272884)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 599-8292
Facsimile: (619) 599-8291
jlapuyade@jcl-lawfirm.com
scastillo@jcl-lawfirm.com
mdelatorre@jcl-lawfirm.com

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)
Jackland K. Hom (State Bar #327243)
Julieann Alvarado (State Bar #334727)
5440 Morehouse Drive, Suite 5400
San Diego, CA 92121
Telephone: (619) 255-9047
Facsimile: (858) 404-9203
shani@zakaylaw.com
jackland@zakaylaw.com
julieann@zakaylaw.com

Attorneys for Plaintiff

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CRUZ

CRISTAL RODRIGUEZ, on behalf of herself and
on behalf of all persons similarly situated,

Plaintiffs,

vs.

EAH INC. a California Corporation; and DOES 1-
50, Inclusive.

Defendants.

Case No. 21CV00884

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

Hearing Date: March 28, 2023
Hearing Time: 8:30 a.m.
Department: 10

Trial Date: TBD
Action Filed: April 5, 2021

1 I, CRISTAL RODRIGUEZ, 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 the lead named Plaintiff in the
4 above wage and hour class and PAGA action filed against EAH, Inc. (Hereinafter, "Defendant")

5 2. I am submitting this declaration in support of Plaintiff's Motion for Preliminary Approval
6 of Class and PAGA Action Settlement.

7 3. I believe that I am, have been and will continue to represent the interests of the class fairly
8 adequately. I have claims that are typical of the claims the Class Members that I am seeking to represent.
9 Specifically, I worked for Defendant from approximately April 2019 to August 2020 as a non-exempt
10 employee in Santa Cruz, California. Defendant is a California Corporation that develops and manages
11 affordable housing projects throughout Northern California. As a non-exempt employee compensated
12 on an hourly basis, I was entitled to legally mandated meal and rest periods and minimum wage and
13 overtime compensation. During my employment, Defendant failed to, among other things, properly
14 calculate the regular rate of pay, pay for all hours worked, failed to provide compliant meal and rest
15 periods, issued non-compliant wage statements and failed to pay all wages when due. Throughout my
16 employment, I was subject to Defendant's written policies and procedures, including Defendant's
17 Handbook.

18 4. My claims are typical of the claims of the Class Members that I am seeking to represent
19 because I was subject to the same alleged unlawful employment policies and practices at issue in this
20 action, including but not limited to, Defendant's failure to properly calculate and pay the regular rate of
21 pay, pay for all hour worked, failure to provide legally mandated meal and rest periods, failure to provide
22 compliant wage statements and failure to pay all wages when due. Factually, Defendant's policies and
23 practices apply class wide, and Defendant's liability can be determined by facts common to all members
24 of the Class.

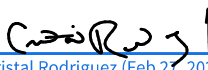
25 5. Further, there is no conflict between my interests and the interests of the class that I am
26 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that
27 I was injured by the same company-wide policies and practices to which the proposed Class was
28 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests

1 of the Class by initiating this litigation, communicating with class counsel about the claims as they apply
2 to myself and others, undertaking extensive class document evaluation and evaluating the proposed
3 settlement to assure that it is fair.

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

13 7. I believe that the proposed settlement before the court is Fair, reasonable and adequate, and
14 made in the best interest of the Settlement Class Members. Consequently, I respectfully, and humbly,
15 ask the Court to Grant preliminary approval of the Settlement and all of its terms.

16 I declare under the penalty of perjury under the laws of the State of California that the foregoing
17 is true and correct. Executed 2/27/2023, 2023, at Santa Cruz (location/City), California.

18
19 By: 
20 Cristal Rodriguez (Feb 27, 2023 12:31 PST)
21 CRISTAL RODRIGUEZ
22
23
24
25
26
27
28