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Attorneys for PLAINTIFFS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF CONTRA COSTA

JOSE SANTILLAN and JESUS NAVARRO,
individuals, on behalf of themselves, and on
behalf of all persons similarly situated,

Plaintiffs,

v.

NUMBER ONE CONCRETE READY MIX,
INC., a California corporation; A CUT ABOVE
SERVICES, INC., a California corporation;
and DOES 1-50, Inclusive,

Defendants.

Case No. C25-00726

**DECLARATION OF JOSE SANTILLAN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND PAGA ACTION SETTLEMENT**

Judge: Hon. Benjamin T Reyes, II
Dept.: 16

1 I, Jose Santillan, declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would competently
4 testify to the following facts from my own personal knowledge. I am the named Plaintiff in the above
5 wage and hour class action filed against Number One Concrete Ready Mix, Inc., a California
6 corporation, and A Cut Above Services, Inc., a California corporation (hereinafter “Defendants”).

7 2. This declaration is being submitted in support of Plaintiffs’ motion for Preliminary
8 Approval of Class and PAGA Action Settlement.

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

12 4. I was employed by Defendants as a non-exempt employee from April 2024 to October
13 2024. At all times during my employment, I earned an hourly wage and was entitled to legally compliant
14 meal and/or rest periods, and minimum, regular, and overtime wages for all hours worked. Throughout
15 my employment, I was subject to Defendants’ written policies and procedures contained in, among
16 other documents, the “Number One Concrete Ready Mix Employee Handbook.”

17 5. Generally, my lawsuit claims that Defendants failed to pay minimum and overtime
18 wages, failed to provide compliant meal and rest periods, failed to reimburse employees for all
19 necessary business expenses, failed to issue accurate itemized wage statements, and failed to pay all
20 wages when due.

21 6. I believe that my claims are typical of the claims of the Class Members that I am seeking
22 to represent because I was subject to the same alleged unlawful employment policies and practices at
23 issue in this action, including but not limited to, Defendants’ failure to provide compliant meal and rest
24 periods, failure to pay for all hours worked, failure to reimburse for mandatory business expenses, and
25 failure to pay all wages when due. Factually, Defendants’ policies and practices apply class wide, and
26 Defendants’ liability can be determined by facts common to all members of the Class.

27 7. Further, there is no conflict between my interests and the interests of the class that I am
28 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that

1 I was injured by the same company-wide policies and practices to which the proposed Class was
2 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
4 of the Class by initiating this litigation, undertaking class discovery, and evaluating the proposed
5 settlement to assure that it is fair.

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

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

18
19 I declare under the penalty of perjury under the laws of the State of California that the foregoing
20 is true and correct. Executed 02/18/2026, at Richmond, California

21
22 By: 
J Guadalupe Santillan (Feb 18, 2026 14:23:12 PST)
23 JOSE SANTILLAN
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