

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)
Julieann Alvarado (State Bar #334727)
5440 Morehouse Drive, Suite 3600
San Diego, CA 92121
Telephone: (619) 255-9047
Facsimile: (858) 404-9203
shani@zakaylaw.com
julieann@zakaylaw.com

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)
Sydney Castillo-Johnson (State Bar #343881)
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

Attorneys for Plaintiff Cesar Cando

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

CESAR CANDO, an individual, on behalf of
himself and on behalf of all persons similarly
situated,

Plaintiff,

v.

ACADEMY VALET PARKING SERVICE,
INC., a California Corporation; and DOES 1-
50, Inclusive,

Defendants.

Case No. 22STCV21833

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

Date: January 10, 2024

Time: 9:00 a.m.

Judge: Hon. Maren E. Nelson

Dept.: 17

1 I, CESAR CANDO, 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 named Plaintiff in the above
4 wage and hour class action filed against Defendant Academy Valet Parking Service, Inc. and Defendant
5 Academy Valet Parking LLC (hereinafter "Defendants").

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. I worked for Defendant as an hourly, non-exempt, employee in California from 2017 to
12 June of 2021. At all times during my employment, I earned an hourly wage and was entitled to legally
13 compliant meal and/or rest periods, and minimum, regular and overtime wages for all hours worked.
14 Throughout my employment, I was subject to Defendants' policies and procedures.

15 5. Generally, my lawsuit claims that Defendants failed to pay for all time worked,
16 including, time spent donning and doffing and undergoing mandatory covid-19 health questionnaires,
17 failed to provide compliant meal and rest periods, failed to pay vacation wages, failed to furnish
18 accurate itemized wage statements, and failed to pay all wages upon separation.

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

25 7. 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

1 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
2 of the Class by initiating this litigation, undertaking extensive class discovery, and evaluating the
3 proposed settlement to assure that it is fair.

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

13 9. On June 23, 2023, mediation was held which resulted in the proposed settlement. When
14 the Settlement Agreement was prepared, I reviewed the terms of the Agreement which I signed on
15 August 4, 2023.

16 10. I have reviewed the terms of the Settlement Agreement in its entirety, including the
17 monetary terms and releases. I believe that the proposed settlement before the Court is fair, reasonable,
18 and adequate, and made in the best interest of the Participating Class Members. Consequently, I
19 respectfully, and humbly, I ask the Court to grant preliminary approval of the Settlement and all of its
20 terms.

21 I declare under the penalty of perjury under the laws of the State of California that the foregoing
22 is true and correct. Executed Sep 23, 2023, at Cesar cando, California.

23
24 By: 
CESAR CANDO