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21 *Attorneys for Plaintiff Omar Rodriguez*

22 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
23 **LOS ANGELES COUNTY**
24 **CENTRAL CIVIL WEST**

25 OMAR RODRIGUEZ, individually and on
26 behalf of all others similarly situated,

27 Plaintiff,

28 v.

HAWK II ENVIRONMENTAL CORP., a
California corporation; and DOES 1-10,
inclusive,

Defendants.

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

FEB 08 2017

Sherri K. Carter, Executive Officer/Clerk

By CRYSTAL VARGAS Deputy

FILED BY FAX

Case No. BC625121

*Assigned to the Hon. John Shepard Wiley, Jr.,
Department 311*

**DECLARATION OF OMAR RODRIGUEZ
IN SUPPORT OF MOTION FOR
CONDITIONAL CERTIFICATION OF
SETTLEMENT CLASS AND
PRELIMINARY APPROVAL OF CLASS-
ACTION SETTLEMENT**

Judge: Hon. John Shepard Wiley, Jr.
Date: March 8, 2017
Time: 11:00 a.m.
Dept: 311

Complaint filed: June 24, 2016

1 OMAR RODRIGUEZ declares under penalty of perjury under the laws of the State of California and the
2 United States as follows:

3 1. I make this Declaration in support of Plaintiff's Motion for Conditional Certification of
4 Settlement Class and Preliminary Approval of Class-Action Settlement. If sworn as a witness, I could
5 competently testify to each and every fact set forth herein from my own personal knowledge.

6 2. I worked as a cashier, parking attendant, and general custodian for Hawk II
7 Environmental Corp.'s ("Defendant") Alameda gas station located in Los Angeles, California between
8 July 2013 and approximately December 10, 2015. I also briefly worked at Defendant's gas station in
9 Hacienda Heights, California. I filed the instant lawsuit on account of Defendant's failure to provide its
10 employees with proper overtime compensation, rest and meal breaks, reimbursements for uniforms,
11 timely payment of wages upon termination, and improper paystubs under the California Labor Code.

12 3. In connection with this lawsuit, I feel as though I am a good representative of others who
13 have worked for Defendant. In the course of this litigation, I have become educated on the relevant
14 laws, as well as understood my obligations in regards to acting as a class representative in a class action
15 lawsuit. My main concern is that all former and current employees be treated fairly. As a class
16 representative, if preliminary approval of a class settlement is achieved, I understand that I will continue
17 to act as a representative of other, unnamed class members and that, as such a representative, I owe a
18 duty of good faith to the unnamed class members and I will not act solely in my own self-interest. I
19 believe I am similarly situated with the potential members of the class in that, like me: (a) the potential
20 members of the class were employed by Defendant in California; (b) the potential class members were
21 subject to the same corporate policies regarding overtime, meal and rest breaks, and uniform charges;
22 and (c) the potential class members similarly received paystubs that did not include the proper
23 information required by California Labor Code section 226.

24 4. My interest in prosecuting the lawsuit is to secure compensation for all of the class
25 members on account of Defendant's failure to comply with the California Labor Code. I have not been
26 promised any special monetary reward or treatment for acting as a class representative. I have no
27 interest adverse to the members of the class as a whole and I believe that my individual claims are
28 typical of the claims of the members of the class as a whole.

1 5. I have taken an active role in this litigation by conferring with counsel, assisting in
2 gathering information for the prosecution of the lawsuit, sitting for my deposition on November 30,
3 2016, and attending the full-day mediation on December 13, 2016. In addition, I have reviewed the
4 settlement agreement and believe the terms are fair, adequate, and reasonable to the class. I understand
5 that my fiduciary obligations to the class members will continue until all settlement procedures are
6 concluded and the settlement funds are distributed to the class members. I intend to continue to take an
7 active part in this litigation and to continue to participate in settlement procedures.

8 6. I have read the foregoing, and the facts set forth therein are true and correct of my own
9 personal knowledge.

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11 Executed 2-1 _____, 2017, in the City of Los Angeles, County of Los Angeles,
12 State of California.

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14 Omar Rodriguez

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