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12 *Attorneys for Plaintiffs and the Putative Class*

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
 14 **COUNTY OF LOS ANGELES**

15 **JOEL PASNO, JOHN KUNTZ, and**
 16 **RODELLA HURTADO**, individually and on
 17 behalf of all others similarly situated,

18 Plaintiffs,

19 vs.

20 **HIBU INC.**, a Delaware Corporation,

21 Defendant.

CASE NO. 22STCV01361

22 **DECLARATION OF RODELLA HURTADO IN**
 23 **SUPPORT OF PLAINTIFFS' MOTION FOR**
 24 **FINAL APPROVAL OF CLASS ACTION**
 25 **SETTLEMENT**

26 Date: September 15, 2023
 27 Time: 9:00 a.m.
 28 Dept 17

1 I, Rodella Hurtado, declare as follows:

2 1. I am a named Plaintiff and putative Class Representative in this matter. I am over 18 years
3 of age. I have personal knowledge of the following facts and could and would testify competently to
4 them.

5 2. I was employed as a Sales Representative by Hibu in California from February 2021 until
6 November 2021.

7 3. I first spoke to my attorneys in December 2021. At that time, I discussed with them the
8 detail of my employment with Hibu, including what I did each day during the “initial sales training”
9 portion of my employment and how I was paid; my daily schedule following the training period; my job
10 duties as a sales representative; the cities that were in my assigned sales territory, miles I drove between
11 my home and my sales territory each day I was in the field, and the reimbursement Hibu provided to me
12 for the various expenses I incurred performing my job duties. I estimate that this call was close to an hour
13 long.

14 4. Over the few weeks following this initial call, I spent approximately 4 to 5 hours going
15 through my records and emails to find relevant documents, and sent over a dozen Hibu pay checks to my
16 attorneys.

17 5. Before my PAGA Notice and my Complaint were filed, I spent approximately 30 minutes
18 carefully reviewing the two documents to make sure the facts alleged in both were correct and that I
19 agreed with the allegations in the Complaint, and the PAGA Notice.

20 6. In August 2022, my attorneys sent me a list of documents that Hibu requested from me
21 prior to mediation. I reviewed the list and spent about 30 minutes discussing the list and the details of my
22 claims, including the distances between my home and the accounts and prospective accounts I visited,
23 the costs I estimated incurring using my personal cell phone and home internet for work, other expenses
24 that I paid for out pocket, and the daily activities I completed during my initial sales training period.

25 7. While I was not able to attend the mediation on September 14, I made sure to be available
26 by phone throughout the day. After the mediation ended, my attorneys emailed me a Memorandum of
27 Understanding, and called me to go over the proposed settlement, which I approved after discussing it
28 with my attorneys.

8. Over the months following the mediation, I reviewed, discussed, and signed several
settlement-related documents. Specifically, in November 2022, I reviewed my declaration in support of
preliminary approval of the settlement agreement to make sure that it was accurate, discussed it with my
attorneys, and signed it. In December 2022, I reviewed and signed the long form Settlement Agreement

1 that my attorneys sent me. In April 2023, one of my attorneys called me to discuss the changes the Court
2 directed the parties to make to the Settlement. After that call, my attorney sent me an Amended Settlement
3 Agreement, and a draft declaration that the Court requested from me regarding the charity who would
4 receive any uncashed check funds, to review and sign. I spent approximately 45 minutes altogether
5 reviewing, discussing and signing these documents.

6 9. After the Class Notices were mailed out in June 2023, I received calls from three of my
7 former Hibu co-workers who wanted to discuss my lawsuit. I spent a total of 30 to 40 minutes speaking
8 with my former co-workers about my claims.

9 10. Altogether, I estimate that I have devoted at least 11 hours to the tasks related to this case.

10 11. Being the lead plaintiff in a lawsuit against Hibu has been stressful for me and I'm nervous
11 that I have a bad reputation with my former co-workers and with potential employers in California who
12 hire sales representatives. I decided to bring my lawsuit anyways because I wanted my fellow workers
13 and I to be properly paid for overtime hours it and get reimbursed for all of their out-of-pocket work
14 expenses.

15 I declare under penalty of perjury under the laws of the United States and the State of California
16 that the foregoing is true and correct. Executed on 8/18/2023

17 
18 _____
19 RODELLA HURTADO