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14 ERIC ZARAGOZA

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **FOR THE COUNTY OF VENTURA**

17 ERIC ZARAGOZA, individually, and on behalf
18 of other members of the general public similarly
19 situated,

20 Plaintiffs,

21 vs.

22 THE ARC OF VENTURA COUNTY, INC., a
23 California corporation; and DOES 1 through
100, inclusive,

24 Defendants.

Case No.: 56-2022-00565343-CU-OE-VTA

*Assigned for all purposes to the Honorable
Jeffrey G. Bennett, Dept. 21*

**DECLARATION OF ERIC ZARAGOZA IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: August 10, 2023
Time: 8:30 a.m.
Dept.: 21

Complaint Filed: May 5, 2022
Trial Date: Not Set

DECLARATION OF ERIC ZARAGOZA

I, Eric Zaragoza, declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in *Eric Zaragoza v. The Arc of Ventura County, Inc. et al.*, Ventura County Superior Court Case No. 56-20222-00565343-CU-OE-VTA. I have personal knowledge of the facts stated herein and if called as a witness I could and would competently testify thereto.

2. I make this declaration in support of the parties’ Joint Stipulation of Class Action and PAGA Settlement (“Settlement” or “Agreement”).

3. I am a former employee of Defendant The Arc of Ventura County, Inc. (“Defendant”). I was employed by Defendant as an hourly-paid, non-exempt day program instructor from approximately July 2013 to August 2015 and from September 2016 to September 2018.

4. In approximately October of 2021, I reached out to my attorneys at Lawyers for Justice, PC to discuss my employment with Defendant and the ways I believed I had been undercompensated during my employment. I wanted to take steps to make sure that Defendant was held accountable for not paying its employees properly. I spent several hours discussing my experiences working for Defendant with the attorneys at Lawyers for Justice, PC, as well as complex wage and hour class actions in general, and what it meant to be a named plaintiff and class representative. After speaking with my attorneys, I agreed to serve as a class representative in this action.

5. As part of becoming a class representative, I understood that I have a fiduciary duty to the potential class. My duties were explained to me by my attorneys. I understood that in representing the interests of other class members, I must put the interests of the class above my own interests in this case. I was also aware that serving in this role required me to monitor the progress of the lawsuit, to provide all relevant facts to assist my attorneys with the case, and to actively participate in the case as necessary. I understood that it was by duty and responsibility to vigorously prosecute this case to obtain the best possible recovery for the other class members, and that I would have additional duties and responsibilities, such as responding to written

1 discovery, having my deposition taken, and traveling and participating in the case when need. I
2 understood that I might have to miss time from work in order to perform these duties. I still agreed
3 to serve as class representative in order to recover unpaid wages for Labor Code violations
4 suffered by myself and other employees.

5 6. Throughout the course of the case, I have spent a significant amount of time
6 meeting with my attorneys at Lawyers for Justice, PC and Parker & Minne, LLP regarding the
7 case and fulfilling my responsibilities as a class representative. I have had numerous, extensive
8 discussions with my attorneys regarding Defendant's policies, practices and procedures, how
9 Defendant operates, as well as my experiences generally working for Defendant. At my attorney's
10 request, I searched for any documents related my employment with Defendant, and provided
11 copies of any documents I was able to locate to my attorneys.

12 7. I have routinely checked in with my attorneys to monitor the status of the case. I
13 also promptly responded to several additional phone calls with my attorneys throughout the case
14 and provided additional information needed for the case, including extensive discussions prior to
15 mediation. I kept in contact with my attorneys throughout the mediation and provided additional
16 information when my attorneys reached out to me during the mediation. I will continue to actively
17 participate in this lawsuit and monitor the case until it is finalized.

18 8. When the case settled, I reviewed the Settlement Agreement and discussed its
19 terms with my attorneys. I recognize and accept that any resolution of this lawsuit is subject to
20 court approval, and must be designed in the best interest of the class as a whole. I believe the
21 Settlement is fair and reasonable in light of the issues presented by this case.

22 9. Since initiating this lawsuit, I have considered the interests of the class just as I
23 would consider my own interests and have put the interests of the other class members before my
24 own interests. I am not aware of any interests that I have that are contrary to the interests of the
25 proposed class members, and I do not know of any conflicts of interest that would keep me from
26 adequately representing the class.

27 10. I fully realized the risks I would be taking by pursuing this case as a named plaintiff
28 and class representative. I knew that future employers might conduct a background check on me

1 or otherwise find out about my participation in the lawsuit, and that serving as the class
2 representative could affect my employment opportunities and my ability to secure a job in the
3 future. I also knew that there was no certainty as to the ultimate outcome of this case, and that if
4 Defendant were to prevail in this action there was a possibility I could have been liable for
5 Defendant's litigation costs. Despite these risks, I felt so strongly about standing up for the rights
6 of Defendant's employees that I initiated and participated fully in this lawsuit.


7 11. I believe that I have done everything that my attorneys have asked of me and have
8 tried, to the best of my ability, to represent the class. I think my efforts helped get the result
9 obtained in this case. Accordingly, I respectfully request that the Court award me the Service
10 Payment in the amount of \$10,000.00 in recognition of the benefit I helped obtain for other
11 putative class members, and my active participation in this case. I believe that this amount is fair
12 and reasonable in light of the time I have spent on this case, the risk I assumed in acting as a class
13 representative, and the broader general release I have agreed to as part of the Settlement.

14 12. I am not related to anyone associated with Lawyers for Justice, PC or Parker &
15 Minne, LLP.

16 13. I have not entered into any undisclosed agreements, and I have not received any
17 undisclosed compensation in this case. The only compensation I will receive is whatever amount
18 the Court awards as a service award, as well as my share of the settlement fund as a class member.

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct.

21 Executed on 06/27/2023 at oxnard, California.

22 
23 [eric.zaragoza \(Jun 27, 2023 15:04 PDT\)](#)
24 Eric Zaragoza