

BOOKE & AJLOUNY
ATTORNEYS AND COUNSELORS AT LAW

1 JAMES DAL BON, SB# 157942
2 LAW OFFICE OF JAMES DAL BON
3 606 N. 1st St.
4 SAN JOSE, CA 95112
5 (408) 466-5845

6 VICTORIA L.H. BOOKE, SB# 142518
7 BOOKE & AJLOUNY
8 606 North First Street
9 San Jose, California 95112
10 Telephone: (408) 286-7000
11 Facsimile: (408) 286-7111

12 Attorneys for Plaintiffs

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

15 Case No.:18-CV-02842-VKD

16 RODRIGO CAMILO, an individual,
17 ALVARO CAMILO, an individual,
18 RICARDO G. SANCHEZ, an individual,
19 JOSE MANUEL LOPEZ, an individual,

20 Plaintiffs and Class Action
21 Plaintiffs,

22 vs.

23 SERVERO C. OZUNA, an individual, DON VITO
24 OZUNA FOOD CORPORATION, a California
25 corporation

26 Defendants.

**DECLARATION OF JOSE MANUEL
LOPEZ IN SUPPORT OF FINAL
APPROVAL MOTION**

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I, JOSE MANUEL LOPEZ, declare under penalty of perjury by the laws of California the following is true and correct:

1. My name is JOSE MANUEL LOPEZ. I am above the age of eighteen years old and competent to testify in a court of law. If called to testify in a court concerning the facts of this case, I would testify as stated in this declaration:

2. I worked for SERVERO C. OZUNA, owner of DON VITO OZUNA FOOD CORPORATION from approximately 2007 to 2017.

3. During the length of this lawsuit I have incurred some costs and lost wages to attend to case related matters.

4. The costs include transportation costs to and from my attorney's office and mediation.

5. I have suffered from lost wages due to obligations involved with this case and before we filed the lawsuit.

6. During my time of employment with DON VITO OZUNA FOOD CORPORATION, I was not paid all the overtime. Despite working more than 8 hours in a day and 40 hours in a week, DON VITO OZUNA FOOD CORPORATION failed to regularly pay me overtime wages, which is why I sought legal representation.

7. It has now been approximately two years and I still have not received my lost wages and yet, have continued to lose income due to the demands of the lawsuit upon my work time.

8. On April 11, 2018 I had to take off from work in order to meet with my attorney for an initial consultation. It was a big inconvenience, having to lose work. I had to travel approximately 240 miles (round trip), in addition to lost wages for missing work. In 2015, I moved to Sacramento, California where I currently reside.

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9. Today, I get paid approximately \$23 per hour and due to the litigation of this case I have been forced to miss work and lose income.

10. When I am forced to take time off work due to lawsuit related office appointments and conferences, to review documents and search for documents, attend mediation, it drastically reduces my paycheck.

11. I am the sole provider of a four. They depend on my bi-weekly paycheck to put food on the table, pay bills, and provide a home.

12. I lost wages while working for DON VITO OZUNA FOOD CORPORATION, wages that would have helped pay the bills and today, I continue to lose money my family depends on.

13. This case has taken a huge impact on my family emotionally, mentally, and financially.

14. Not only have I lost money, but I have also lost family time.

15. I have spent many hours at my attorney's office working on this case. For example; reviewing many documents, looking for documents requested by my attorneys, locating and contacting my former co-workers for our attorneys to interview, providing my attorney with specific details pertaining to the case to draft motions, gathering and providing information related to my witnesses, preparing for mediation, attending the mediation, the list goes on and on.

16. There have been numerous times I've needed to go to my attorney's office, but since this case has been going on since 2018, I can't remember them all.

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1 17. After consulting with my counsel, below are detailed dates:
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- 3 • April 11, 2018, since I live in Sacramento, California, I was forced to take the day
4 off work for an office appointment, I lost 8 hours from work, spent gas and added
5 mileage to my vehicle.
- 6 • November 8, 2018, I took another day off from work for an office appointment
7 to meet with my attorneys, again losing an entire day from work.
- 8 • December 7, 2018, I took time from work in order to speak to my attorney
9 regarding preparing for a mediation that took place on December 12, 2018.
- 10 • December 10, 2018, I took more time off work in order to finalize preparation and
11 respond to my lawyers regarding the upcoming mediation of December 12,
12 2018.
- 13 • December 12, 2018, I had to take a full day off from work to attend a Mediation in
14 San Jose.
- 15 • February 7, 2019, I had to take time off work in order to speak to my attorney
16 regarding settlement, I lost half day of work.
- 17 • February 11, 2019, I took more time off to schedule an appointment in order to
18 meet with my attorney and go over settlement documents.
- 19 • February 12, 2019, I miss an entire day from work in order to meet with my
20 attorneys.
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23 18. In addition to missing much time from work, this litigation caused me to lose income.
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25 19. I have spent a lot of time and lost a lot of money to actively participate in the
26 prosecution of this matter, including my trip to San Jose to sign this declaration.
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24. I respectfully ask that all my time, effort, lost wages and the sacrifice of my family be taken into consideration when making the representative Plaintiff Award.

Executed on November 20, 2019 in San Jose, California.

Jose M Lopez
JOSE MANUEL LOPEZ
Plaintiff

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