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12 Attorneys for Plaintiffs

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

15 Case No. 5:18-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.

27 **DECLARATION OF RODRIGO  
28 CAMILO IN SUPPORT OF FINAL  
APPROVAL MOTION**

BOOKE & AJLOUNY  
ATTORNEYS AND COUNSELORS AT LAW

BOOKE & AJLOUNY  
ATTORNEYS AND COUNSELORS AT LAW

1 I, RODRIGO CAMILO, declare under penalty of perjury by the laws of California the  
2 following is true and correct:

3  
4 1. My name is RODRIGO CAMILO. I am above the age of eighteen years old and  
5 competent to testify in a court of law. If called to testify in a court concerning the  
6 facts of this case, I would testify as stated in this declaration:

7 2. I worked for SERVERO C. OZUNA, owner of DON VITO OZUNA FOOD  
8 CORPORATION for approximately 10 years.

9  
10 3. During the length of this lawsuit I have incurred many costs and lost wages to attend  
11 to case related matters.

12 4. The costs include transportation costs to and from my attorney's office multiple times  
13 and a mediation.

14  
15 5. I have suffered lost wages due to the obligations involved with this case and even  
16 before we filed the lawsuit.

17  
18 6. During my time of employment with DON VITO OZUNA FOOD CORPORATION, I  
19 was regularly not paid overtime. Despite working more than 8 hours in a day and 40  
20 hours in a week, DON VITO OZUNA FOOD CORPORATION failed to pay me overtime  
21 wages, which is why I sought legal representation.

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

25 8. On April 11, 2018 I had to take off from work in order to meet with my attorney for  
26 an initial consultation. It was a big inconvenience, having to lose work. I had to travel  
27 several miles, approximately 40 miles (round trip), in addition to lost wages for  
28 missing work.

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9. Today, I get paid approximately \$20 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 attorney office appointments, discovery and document review, search for documents, and mediation, it reduced my paycheck.

11. I am the sole provider of a family of five. My family depends 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, physically 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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17. After consulting with my counsel, below are detailed dates:

- April 11, 2018, I left work an hour and a half early for an office appointment, I lost hours from work, spent gas and added mileage to my vehicle.
- November 8, 2018, I left work an hour early for another office appointment to meet with my attorneys, again losing hours from work.
- December 7, 2018, I took time from work in order to speak to my attorneys regarding preparing for a mediation that took place on December 12, 2018.
- December 10, 2018, I took more time off work in order to finalize preparation and respond to further questions regarding the upcoming Mediation of December 12, 2018.
- December 12, 2018, I had to take a full day off from work to attend a Mediation in San Jose.
- February 7, 2019, I had to take time off work in order to speak to my attorney regarding settlement.
- February 11, 2019, I took more time off to schedule an appointment in order to meet with my attorneys and go over settlement documents.
- February 12, 2019, I left work an hour early to meet with my attorneys.

18. In addition to missing much time from work, this litigation cost me income lost.

19. I have spent a lot of time and lost a lot of money to actively participate in the prosecution of this matter.

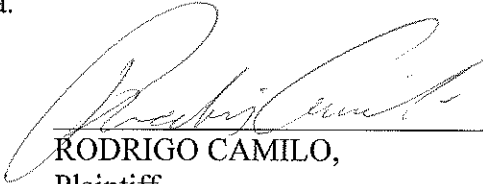
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prosecution of this matter.

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 19, 2019 in San Jose, California.

  
RODRIGO CAMILO,  
Plaintiff