

1 Carolyn Hunt Cottrell (SBN 166977)
David C. Leimbach (SBN 265409)
2 Scott L. Gordon (SBN 319872)
SCHNEIDER WALLACE COTTRELL
3 KONECKY WOTKYNS LLP
2000 Powell Street, Suite 1400
4 Emeryville, CA 94608
Tel: (415) 421-7100
5 Fax: (415) 421-7105
ccottrell@schneiderwallace.com
6 dleimbach@schneiderwallace.com
sgordon@schneiderwallace.com
7

8 Shanon J. Carson (*pro hac vice*)
Sarah R. Schalman-Bergen (*pro hac vice*)
Neil K. Makhija (*pro hac vice*)
9 BERGER MONTAGUE PC
1818 Market Street, Suite 3600
10 Philadelphia, PA 19103
Tel: (215) 875-3000
11 Fax: (215) 875-4604
scarson@bm.net
12 sschalman-bergen@bm.net
nmakhija@bm.net
13

14 Attorneys for Plaintiffs, the Collective
and Potential Classes

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN FRANCISCO**

18 DESIDERO SOTO, STEVEN STRICKLEN,
19 STEEVE FONDROSE, LORENZO
ORTEGA, and JOSE ANTONIO FARIAS,
20 JR., on behalf of themselves and all other
similarly situated,

21 Plaintiffs,

22 vs.

23 O.C. COMMUNICATIONS, INC.,
24 COMCAST CORPORATION, and
25 COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC,

26 Defendants

Case No.: 3:17-cv-00251-VC

**DECLARATION OF LORENZO ORTEGA
IN SUPPORT OF MOTION FOR
APPROVAL OF SERVICE AWARD AS
CLASS REPRESENTATIVE**

Date: October 17, 2019
Time: 10:00 a.m.
Courtroom: 4 (17th Floor)
Judge: Honorable Vince Chhabria

Complaint Filed: January 18, 2017

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DECLARATION OF LORENZO ORTEGA

I, Lorenzo Ortega, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I make this declaration based on my personal knowledge.
2. I am a Named Plaintiff in the above-captioned action against Defendants O.C. Communications, Inc. (“OCC”), Comcast Corporation, and Comcast Cable Communications Management, LLC (“Comcast”) (collectively, “Defendants”).
3. I worked for Defendants as a Technician on installation services such as installing cable television, phone, security and internet service systems in commercial and residential settings.
4. Between approximately June 2017 and October 2017, I worked for Defendants as a Technician in the state of Washington.
5. As a Technician, my duties included, but were not limited to, driving to customers’ residences, installing cable, telephone, and internet service, making repairs, troubleshooting, educating customers, and providing installations and troubleshooting integral to Comcast’s service.
6. When I worked for Defendants, I worked overtime hours for Defendants without being paid overtime premiums. I was also required to work off-the-clock before my shifts to gather equipment and for inventory checks and I also worked off-the-clock after my shifts. The wage statements that I received did not accurately reflect my actual hours worked or actual wages earned. Additionally, my scheduled and actual hours worked triggered meal and rest breaks; however, I did not always receive these breaks or was required to work through them.
7. I joined this lawsuit as a Named Plaintiff because Defendants did not authorize or permit meal and rest breaks, did not pay me minimum wage, did not pay me overtime compensation in weeks when I worked over forty (40) hours per week, failed to keep accurate records of all hours worked, failed to provide accurate and itemized wage statements, failed to pay all final wages due upon termination, willfully refused to pay wages, engaged in unfair or deceptive acts, and did not properly pay for rest and recovery periods.
8. During this lawsuit, I have spent my own personal time working closely with my

1 attorneys. I provided information regarding my work experience with Defendants, the allegations
2 in the lawsuit, as well as documents, including timesheets, daily reports and paystubs. My
3 attorneys used this information to determine what claims to bring and to strategize the class
4 action lawsuit.

5 9. I have spent significant personal time strategizing with my attorneys as the case
6 moved forward. I regularly communicated with my attorneys via telephone to discuss the status
7 of the case. These communications concerned but were not limited to: amending the Complaint
8 to add additional plaintiffs, claims, and when Comcast was added as a defendant; the briefing on
9 Defendants' motions to compel arbitration, and when my attorneys filed over 600 individual
10 arbitration demands. I also strategized with my attorneys during their review of documents
11 produced by OCC. And I cleared my schedule and made myself available for mediation in this
12 case and communicated with my attorneys throughout the settlement process.

13 10. The parties eventually reached an agreement to settle the case. I reviewed and
14 approved the proposed settlement agreement.

15 11. In sum, I have been significantly involved with this litigation, and I have
16 contributed a substantial amount of my own time to the prosecution of these claims.

17 12. I have worked as a Technician in the cable industry for approximately five years.

18 13. Despite the potential risk of retaliation in the cable industry, I stepped forward to
19 represent the interests of my fellow class members, including risking my reputation in the
20 community in which I make my livelihood.

21 14. As noted above, I have devoted substantial time and energy to this case, at great
22 personal risk and expense.

23 15. As part of the settlement agreement, I have agreed to release any and all
24 claims I have against Defendants.

25 16. Based upon my participation in this case, and also based upon my knowledge of
26 the facts and the law, as explained to me by my attorneys, I believe that the settlement is fair and
27 reasonable, and that my hard work has led to a beneficial result for the Class and Collective.

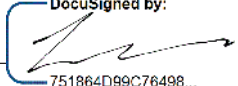
28 17. I therefore respectfully request that the Court grant final approval of the service
payment agreed to by the parties of \$10,000.00 in the settlement agreement

DECLARATION OF LORENZO ORTEGA

Desidero Soto, et al. v. O.C. Communications, Inc., Case No. 3:17-cv-0251-VC

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Dated: September 8, 2019

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