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Attorneys for Plaintiffs, the Collective  
and Potential Classes

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO**

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

Plaintiffs,

vs.

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

Defendants

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

**DECLARATION OF DESIDERO SOTO 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

DECLARATION OF DESIDERO SOTO

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

**DECLARATION OF DESIDERO SOTO**

I, Desidero Soto, 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 September 2014 and February 2016, I worked for Defendants as a Technician in California.

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. And while working for Defendants, I incurred numerous unreimbursed work-related expenses and was required to purchase tools and supplies that I needed to perform my work duties.

7. I accordingly initiated this lawsuit because Defendants did not pay me minimum, straight time, or the required overtime compensation; failed to provide accurate, itemized wage statements; failed to keep accurate records of all hours worked; failed to pay all final wages due upon termination; did not provide meal and rest breaks; did not properly pay for rest and recovery periods and other non-productive time as piece rate workers, and did not pay me for necessary

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

1 businesses expenses.

2 8. During this lawsuit, I have spent my own personal time working closely with my  
3 attorneys. I provided information regarding my work experience with Defendants, the  
4 allegations in the lawsuit, as well as documents, including timesheets, daily reports and paystubs.  
5 My attorneys used this information to determine what claims to bring and to prepare the class  
6 action lawsuit.

7 9. In the two and one half years since the lawsuit was filed, I have spent significant  
8 personal time strategizing with my attorneys as the case moved forward. I consulted with my  
9 attorneys throughout the litigation and spent a substantial amount of time providing information  
10 and discussing case strategy. I regularly communicated with my attorneys via telephone to  
11 discuss the status of the case. These communications concerned but were not limited to: the three  
12 times that the Complaint was amended to add additional plaintiffs, claims, and when Comcast  
13 was added as a defendant; the briefing on conditional certification of and facilitation of notice to  
14 the FLSA Collective of Defendants' Technicians; the briefing on Defendants' motions to compel  
15 arbitration, and when my attorneys filed over 600 individual arbitration demands.

16 10. I also strategized with my attorneys during their review of documents produced by  
17 OCC and when Defendants noticed my deposition. I spent significant personal time working  
18 with my attorneys to prepare for the deposition, traveling to the deposition, and sitting for the  
19 deposition.

20 11. Further, this case involved two separate mediations – I cleared my schedule and  
21 made myself available for both mediations and communicated with my attorneys throughout the  
22 settlement process.

23 12. The parties eventually reached an agreement to settle the case. I reviewed and  
24 approved the proposed settlement agreement.

25 13. In sum, I have been significantly involved with this litigation from the outset, and  
26 during that time I have contributed a substantial amount of my own time to the prosecution of  
27 these claims in addition to having to request time off from work to accommodate the case  
28 schedule.

14. I have worked as a Technician in the cable industry for approximately seven years.

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1           15. Despite the potential risk of retaliation in the cable industry, I stepped forward to  
2 represent the interests of my fellow class members, including risking my reputation in the  
3 community in which I make my livelihood.

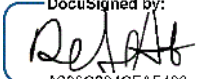
4           16. As noted above, I have devoted substantial time and energy to this case, at great  
5 personal risk and expense.

6           17. As part of the settlement agreement, I have agreed to release any and all  
7 claims I have against Defendants.

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

11           19. I therefore respectfully request that the Court grant final approval of the service  
12 payment agreed to by the parties of \$15,000.00 in the settlement agreement.

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14 Dated: September 9, 2019

DocuSigned by:  
  
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Desidero Soto

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