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 Collective, Aggrieved Employees, and  
 State of California  
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14 **SUPERIOR COURT OF CALIFORNIA**  
**COUNTY OF ALAMEDA**

15 EDGAR DIAZ and JOE TRIGO, individually and  
 16 on behalf of all others similarly situated,

17 Plaintiffs,

18 vs.

19 TAK COMMUNICATIONS CA, INC.; TAK  
 20 COMMUNICATIONS, INC.; and DOES 1-25,  
 inclusive,

21 Defendants.  
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Case No: RG20064706

CLASS ACTION

*Assigned for All Purposes to Judge  
 Winifred Y. Smith, Dept. 21*

**DECLARATION OF JOE TRIGO  
 IN SUPPORT OF PLAINTIFFS'  
 UNOPPOSED MOTION FOR  
 APPROVAL OF ATTORNEY'S FEES  
 AND COSTS AND SERVICE  
 AWARDS**

Date Action Filed: June 12, 2020

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**DECLARATION OF JOE TRIGO**

I, Joe Trigo, hereby declare under penalty of perjury under the laws of the State of California 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 TAK Communications CA Inc., and TAK Communications (“TAK”) (collectively, “Defendants”).
3. I worked for Defendants as a Technician performing services such as installing cable television, phone, security and internet service systems in commercial settings.
4. Between May 22, 2019 and October 2020 I worked for Defendants in and around Sacramento and Stockton, California.
5. As a Technician, my duties included, but were not limited to, driving to customers’ residences, installing cable, telephone, and internet service, installing alarm services, making repairs, troubleshooting, and educating customers.
6. When I worked for Defendants, I worked overtime hours for Defendants without being paid overtime premiums. I was required to work off-the-clock after my shifts, specifically when I arrived home each evening. I spent approximately 20-30 minutes each evening completing my timecard and sending the same to my supervisor. I was required to list every piece of equipment I installed each day. This was both time-consuming and stressful. 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, but I did not always receive these breaks or was required to work through them due to a packed schedule. While I worked for Defendants, I incurred numerous 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

1 recovery periods and other non-productive time, and did not pay me for necessary businesses  
2 expenses.

3 8. During this lawsuit, I spent my own personal time, approximately 35 hours,  
4 working closely with my attorneys. I provided information regarding my work experience with  
5 Defendants, the allegations in the lawsuit, as well as documents and screenshots. These  
6 documents and screenshots include but were not limited to: paystubs, which show the alleged  
7 hours worked and the alleged piece work completed, timesheets, TAK Communication Open  
8 Enrollment form, and California billing rates which show the dollar amount for each code  
9 completed. My attorneys used this information to determine which claims to bring and to  
10 prepare the classaction lawsuit. I spent upwards of 10 hours gathering documents and detailing  
11 the significance of each document to my attorneys.

12 9. In the ten months since the lawsuit was filed and in the six months before we filed  
13 the lawsuit, I spent significant personal time strategizing with my attorneys. I consulted with my  
14 attorneys throughout the litigation and spent a substantial amount of time providing information  
15 and discussing case strategy. I regularly communicated with my attorneys via telephone to  
16 discuss the status of the case. These communications concerned but were not limited to: the  
17 filing of the complaints in both Federal Court and State Court; following the filing of the state  
18 and federal actions, discovering the existence of arbitration agreements and what that meant  
19 moving forward; preparing for mediation; and working with my attorneys to respond to  
20 extensive interrogatories and requests for documents. When working on the responses to  
21 Defendants' interrogatories, I spent approximately 10 hours on the phone with my attorneys  
22 covering topics that included dates and locations of work, hours of work, pre-shift and post-shift  
23 off-the-clock work, meal and rest breaks, and reimbursement of work-related expenses.

24 10. I strategized with my attorneys during their review of documents produced by TAK.

25 11. This case settled in mediation. I cleared my schedule and made myself available  
26 and communicated with my attorneys throughout the settlement process.

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

3           13.     In sum, I have been significantly involved with the litigation beginning six months  
4 prior to filing the complaints. During that time, I have contributed a substantial amount of my  
5 own time to the prosecution of these claims in addition to having to request time off from work  
6 to accommodate the case's schedule.

7           14.     I have worked as a Technician in the cable industry for approximately 8 years.

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

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

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

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

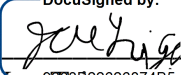
18          19.     I therefore respectfully request that the Court grant final approval of the service  
19 payment agreed to by the parties of \$10,000.00.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and based on my personal knowledge.

Dated: March 31, 2021

DocuSigned by:  
  
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Joe Trigo