

1 Galen T. Shimoda (Cal. State Bar No. 226752)
2 Justin P. Rodriguez (Cal. State Bar No. 278275)
3 Renald Konini (Cal. State Bar No. 312080)
4 **Shimoda & Rodriguez Law, PC**
5 9401 East Stockton Boulevard, Suite 120
6 Elk Grove, CA 95624
7 Telephone: (916) 525-0716
8 Facsimile: (916) 760-3733
9 Email: attorney@shimodalaw.com
10 jrodriguez@shimodalaw.com
11 rkonini@shimodalaw.com

12 Attorneys for Plaintiff DEMECIO AGUIRRE VILLEGAS
13 individually and on behalf of similarly situated employees

14 **SUPERIOR COURT OF CALIFORNIA**
15 **FOR THE COUNTY OF MERCED**

16 DEMECIO AGUIRRE VILLEGAS,
17 individually and on behalf of all other
18 similarly situated employees,
19
20 Plaintiff,
21
22 vs.
23 G & H PIZZA, INC., a California Corporation;
24 JILL MARIE GAUTHIER, an individual;
25 JOHN JAMES GAUTHIER, an individual;
26 and DOES 1 to 100, inclusive,
27
28 Defendants.

29 **Case No. 24CV-00447**
30 *Assigned for All Purposes to Hon. Brian McCabe*
31 *Department 8*
32 **CLASS ACTION**
33 **DECLARATION OF DEMECIO AGUIRRE**
34 **VILLEGAS IN SUPPORT OF PLAINTIFF'S**
35 **MOTION FOR PRELIMINARY APPROVAL OF**
36 **CLASS ACTION AND PAGA SETTLEMENT**
37
38 Date: April 15, 2026
39 Time: 8:15 a.m.
40 Dept.: 8
41 Judge: Hon. Brian McCabe
42
43 Filed: January 26, 2024
44 FAC Filed: April 3, 2024
45 Trial Date: None Set

This e-copy is the official court record (GC68150)

1 I, Demecio Aguirre Villegas, declare:

2 1. I am a competent adult and I have personal knowledge of the facts set forth in this
3 declaration. I am making this declaration on behalf of myself, as a named plaintiff, and in support of
4 Plaintiff's Motion for Preliminary Approval of Class Action and PAGA Settlement.

5 2. I worked for Defendants G & H Pizza, Inc., Jill Michelle Gauthier (*erroneously sued as*
6 *Jill Marie Gauthier*), and John James Gauthier ("Defendants") from approximately May 2018 to April
7 2022, and from January 2023 to the present as a non-exempt employee. I was subject to all of
8 Defendants' policies and practices that have been alleged as unlawful in the Complaint and the notice
9 sent to the Labor and Workforce Development Agency ("LWDA"), including the following: failure to
10 pay overtime, failure to pay minimum wages, failure to provide accurate wage statements, failure to
11 timely pay final wages, failure to provide meal and rest periods or pay premiums in lieu thereof, failure
12 to reimburse expenses, failure to maintain accurate records, failure to pay sick leave, untimely payment
13 of wages, unfair competition, and violation of Labor Code section 558.

14 3. I have actively participated in the litigation of this case for the benefit of all Class
15 Members. Prior to obtaining an attorney, I contacted several law offices and researched potential
16 attorneys to bring the claims. I wanted to make sure the law firm chosen to bring the claims had
17 attorneys with experience and skill in bringing those types of claims. I also researched the typical issues
18 raised when litigating the potential claims. I wanted to make sure I could have an informed discussion
19 with an attorney about the claims and have a better idea of what to expect moving forward in litigation
20 and how to help the case proceed. After securing Shimoda & Rodriguez Law, PC, I continued to be
21 actively involved in the case to help ensure a positive outcome, discussing the facts of the case, showing
22 and explaining the context behind the documents I had to support the claims, and discussing potential
23 witnesses to corroborate the information I was providing.

24 4. My attorneys explained to me the risks and benefits of bringing a class action and a claim
25 under the Private Attorneys General Act ("PAGA"). I understood that pursuing the case as a class and
26 PAGA action meant that it would take substantially longer than pursuing my claims individually,
27 whether in Court or with the California Labor Commissioner, and that I risked getting nothing in the
28 end, but I believed it was important to make sure that Defendants followed the law for everyone. I

1 undertook a professional and financial risk in pursuing the case as a class and PAGA action because my
2 name would be on a publicly available document showing that I had sued a former employer and, if
3 unsuccessful in bringing the claims, I would be obligated to pay Defendants' costs incurred over the
4 course of this complex litigation. My understanding is that this is a substantial risk because the costs
5 associated with litigation, in general, are very high and this cost is multiplied many times over in
6 complex litigation like class actions.

7 5. During the course of this litigation, I have given detailed accounts of all the facts related
8 to my employment. I provided my attorneys with extensive documentation that I believe supported the
9 claims brought against Defendants. I met with and assisted my attorneys in understanding these
10 documents and providing context for Defendants' payroll process as it applied to me and how I believed
11 it applied to Defendants' other employees within the class. I worked there for a long period of time, so I
12 was able to discuss the similarities of the wage and hour policies and practices among all Class
13 Members.

14 6. The work I performed for this case included an extensive review of documents and
15 payroll practices to show and explain to my attorneys what was happening and why I thought it was
16 unlawful. For example, I explained to my attorneys my job duties and responsibilities, the type of tasks
17 and work performed in a typical day and any circumstances that would cause relevant differences to my
18 daily work that affected the class claims. We reviewed payroll and personnel file documents to see
19 whether and how any of the documents corroborated the validity of the claims and listed potential
20 witnesses related to any issues raised by the documents. Additionally, I helped review and explain to
21 my attorneys different documents such as payroll documents, paystubs and payroll records, payroll
22 policies, meal and rest period policies, schedules, timecards, and Defendants' practices of such policies. I
23 also produced many text messages to my attorneys that helped give context to claims in the case, and
24 participated in mediation to assist my attorneys and help flesh out facts that were important to our
25 claims. This addressed all the claims alleged and we continued to discuss and review these items
26 throughout the case as more information was provided by Defendants. I also spent a substantial amount
27 of time working to identify potential witnesses and speaking to others who could be interviewed by my
28 attorneys and provide declarations.

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7. I participated in the negotiations and settlement discussions in this case, including participating in mediation by phone, speaking with my attorneys to answer questions, provide any additional information needed to assist the negotiations, and discussing the potential terms of the Agreement to evaluate its adequacy. Throughout the course of this litigation, I have asked questions when I needed clarification about various aspects of this case to make sure steps were continually taken to advance the interests of Class Members. I have reviewed the final Joint Stipulation of Class Action and PAGA Settlement and Release, discussed the terms with my attorneys, and asked my attorneys any questions I had. I believe the terms of the Settlement and allocations are fair and reasonable given the facts of the case.

8. To date, I estimate that I have spent approximately 75-95 hours assisting my attorneys in litigating this case. I expect that the amount of time I spend on this case will increase if preliminary approval is granted because Class Members will likely reach out to me about the Settlement, the Notice of Settlement, and the process for receiving payment.

9. I have not received any benefits as a result of filing this lawsuit. However, I believe I have experienced several substantial burdens as a result of filing this lawsuit that other Class Members were not subject to. As noted above, I took on the professional risk of lengthening my unemployment after working for Defendants because future employers were able to see, from publicly available documents, that I sued my former employer. Additionally, I undertook the risk of having to pay Defendants' litigation costs if the Court or jury ruled against us on the claims. I have spent a substantial amount of time in this case, securing a monetary benefit for many individuals who have not had to do anything whatsoever to have the opportunity to receive it. I also work at another job, the time I have spent on this case has had to occur during my lunch and/or break times, after hours, and on my days off. Rather than spend this time with friends and family, I have spent this time for the benefit of Class Members. Also, I have experienced a great amount of stress and anxiety due to the litigation in this case. I believe awarding the full Enhancement Payment is warranted given the time I have spent on the case, the benefit secured for Class Members and the LWDA, and the risks and burdens I have experienced as a result of this litigation.

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10. I understand that any Enhancement Payment I may receive is for my participation as a Class Representative and it is not contingent on my support or approval of the Agreement.

11. I have no interest in the designated *cypres* beneficiary, Capital Pro Bono, Inc., whether financial, in their governance, or otherwise.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 03/19/2026 in Los Banos, California.

~~Demecio~~ Aguirre (Mar 19, 2026 10:13:39 PDT)
Demecio Aguirre Villegas