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7 Attorneys for Plaintiffs JOSE JACOBO, et al.
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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION
12

13 JOSE JACOBO, et al.,
14 Plaintiff,
15 vs.
16 ROSS STORES, INC., et al.,
17 Defendants.
18

Case No. 2:15-cv-04701-MWF-AGR_x

CLASS ACTION

**DECLARATION OF JOSE JACOBO
IN SUPPORT OF PLAINTIFFS'
MOTION FOR ATTORNEYS' FEES,
LITIGATION AND
ADMINISTRATIVE COSTS; AND
CLASS REPRESENTATIVES'
ENHANCEMENT PAYMENTS**

Courtroom: 5A
Date: July 22, 2019
Time: 10:00 a.m.
Judge: Hon. Michael W. Fitzgerald

DECLARATION OF JOSE JACOBO

I, Jose Jacobo, declare as follows:

1. I am a named Plaintiff in the matter pending before this court, *Jose Jacobo, Theresa Metoyer, et al. v. Ross Stores, Inc. et al.*, U.S.D.C. Central District, Case No. 2:15-cv-04701-MMM (AGR).
2. I am familiar with the facts set forth below and can and will competently testify thereto if called upon to do so.
3. I am a named Plaintiff in the matter pending before this court, *Jose Jacobo, Theresa Metoyer, et al. v. Ross Stores, Inc. et al.*, U.S.D.C. Central District, Case No. 2:15-cv-04701-MMM (AGR). I am familiar with the facts set forth below and can and will competently testify thereto if called upon to do so. I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees, Litigation and Administrative Costs and Class Representatives' Enhancement Payments.
4. I am a resident of Hacienda Heights, California.
5. I am familiar with the factual bases of the claims asserted in the Second Amended Complaint herein, and I have sufficient economic stake in the outcome of this case to ensure my vigorous prosecution and presentation of these claims for the entire class and believe that my claims are typical of the class of the other proposed members of the class in this action.
6. I understand that as a class representative I must always consider the interests of the class just as I would consider my own interests and at times must put the interests of the class before my own interests.
7. To this end, and in connection with my involvement in this case, I have had numerous conferences with my attorneys, Douglas Caiafa and Christopher Morosoff, including prior to my participation in the lawsuit by way of the original Complaint on June 20, 2015, conferences in connection with my

1 purchase history with Defendants and related issues, discovery responses,
2 conferences and production of documents in preparation for my Declaration
3 filed in support of Plaintiffs' Motion for Class Certification, preparation for
4 and participation in my deposition and in connection with numerous other
5 issues relating to the claims in this case.

6 **8.** I reviewed and responded to multiple rounds of discovery and had my
7 deposition taken on April 28, 2017 in downtown Los Angeles, California, at
8 the offices of Defendant's counsel. I also engaged in discussions with my
9 attorneys in preparation for the full day mediation which took place on
10 October 18, 2016 with Bruce A. Friedman at JAMS in Century City,
11 California, and in connection with the Appellate mediation which occurred
12 in Pasadena dated November 9, 2017.

13 **9.** I have discussed the settlement and its terms with my attorneys, Douglas
14 Caiafa and Christopher Morosoff, and am aware of and agree with the terms
15 of the settlement. I also have the opinion that a fair and adequate
16 compensation for myself as a Class Representative is no less than
17 \$5,000.00.

18 **10.** I continue to support this lawsuit and believe that I have adequately
19 represented both my legal interests and those of the class and will continue
20 to do so. I am aware that the Settlement Agreement authorizes each named
21 Plaintiff to seek an Enhancement Payment in an amount to be determined
22 by the Court but not to exceed \$5,000 each.

23 **11.** My agreement to the Settlement was not and is not conditioned on the
24 Court's approval of any incentive or enhancement payment to me, and I
25 acknowledge that my right to seek an enhancement payment was not a
26 condition of my approval of the Settlement.

- 1 12. I understand that as a class representative I must always consider the
2 interests of the class just as I would consider my own interests and put the
3 interests of the class before my own.
- 4 13. I support this lawsuit and believe that that I will adequately represent and
5 have adequately represented, both my legal interests and those of the class
6 at large. I believe that the proposed settlement in this lawsuit supports the
7 goals and achieves the purposes of this lawsuit.

8 I declare under penalty of perjury that the forgoing is true and correct.

9 Executed this 6th of May 2019, at Hacienda Heights, California.

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11 Jose Jacobo
12 Declarant, Jose Jacobo
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