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6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8

9 JUAN QUINTANILLA VASQUEZ,
10 GABRIELA PERDOMO ORTIZ, VICTOR
HUGO CATALAN MOLINA, and KEVIN
11 CALDERON, individually and on behalf of
all others similarly situated,

12 Plaintiffs,

13 v.

14 LIBRE BY NEXUS, INC. and JOHN DOES
15 1-50,

16 Defendants.
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Case No. 4:17-cv-00755-CW

**DECLARATION OF VICTOR HUGO
CATALAN MOLINA IN SUPPORT OF
PLAINTIFFS' MOTION FOR FEES,
COSTS, AND SERVICE AWARDS**

Judge: Hon. Claudia Wilken

- 1 1. My name is Victor Hugo Catalan Molina. I am a named Plaintiff and Class
2 Representative in this case. I have personal knowledge of the facts set forth in this
3 declaration and could and would testify competently to them if called upon to do so. I am
4 providing this declaration in support of Plaintiffs' Motion for Fees, Costs, and Service
5 Awards.
- 6 2. I came to the United States in December 2015 seeking asylum. I fled my home country
7 of Mexico because my family and I were the targets of cartel violence.
- 8 3. I was placed in detention in San Diego, California, and an Immigration Judge set my
9 bond for \$10,000.
- 10 4. My wife and I eventually contacted Libre by Nexus (LBN), who arranged for my bond to
11 be paid.
- 12 5. In exchange, we made payments to LBN and I had to wear an ankle monitor.
- 13 6. My wife and I believed that LBN could cause me to be sent back to immigration
14 detention or Mexico. We believed that LBN had a special relationship with law
15 enforcement and ICE. At one point, an LBN employee told me that I could be arrested or
16 detained if I missed my payments.
- 17 7. I paid a total of over \$8,000 to LBN, including up front and monthly fees.
- 18 8. Because I work as a day laborer, it has been very difficult for me and my family to pay
19 my fees to LBN and for our other expenses. We have had to skip eating meals and have
20 fallen behind on our monthly rent.
- 21 9. I first spoke with Aidin Castillo, an attorney for Centro Legal, on about April 1, 2017, to
22 discuss my situation and the lawsuit against LBN.
- 23 10. In April 2017, I also had numerous meetings and phone calls with Ms. Castillo and the
24 other attorneys to review and sign the retainer and discuss the facts in this case. My son
25 and I also spent time searching our records for documents, including searching our cell
26 phones for text messages. I provided these documents to my attorneys. I also reviewed
27 the amended complaint and discussed the case process with my attorneys.
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1 11. From May to June 2017, I met with my attorneys about two more times and had a number
2 of calls with them. I reviewed the documents I was providing to LBN. I also talked
3 more with my attorneys about the facts in my case and communications with LBN.

4 12. In July 2017, I had phone calls and met with my attorneys to prepare for a deposition. I
5 then went to the deposition in San Francisco, which lasted all day.

6 13. For the rest of 2017, and in 2018 and 2019, I stayed in contact with my attorneys to
7 answer questions about facts and get updates on the case and settlement talks.

8 14. In 2020, I had more phone calls with my attorneys to discuss and review the settlement
9 and other updates.

10 15. During this time, I have also spent many hours talking with my wife and family and
11 thinking about the case on my own, to prepare for meetings and the deposition. I also
12 made time to be available to speak with my attorneys during a number of mediations, and
13 reviewed and corrected my deposition transcript.

14 16. I did all of this even though it was very difficult for me and my family, because I cared
15 about changing the policies at LBN for others in my situation.

16 17. I decided to file this class action because I knew that many others were affected by the
17 same policies, but would be too scared to come forward. I felt a responsibility to stand
18 up for their rights too.

19 18. However, I was also very frightened about proceeding. I had fled Mexico because of
20 violence to seek asylum. My son and I had also just gotten out of immigration detention,
21 because LBN had arranged for our bonds to be paid. We were still in immigration
22 removal proceedings to decide our asylum claims.

23 19. I was particularly frightened that LBN or ICE could retaliate against me and my family
24 for filing this lawsuit, and put us back in detention or send us back to Mexico. I was
25 scared they would call immigration not only about me, but also my family.

26 20. I remember LBN employees telling me and my son that if we did not pay them their
27 money, they would call immigration. That is something I will never forget. That is the
28 reason we were so scared. It was so hard for our family.

1 21. LBN also kept calling my sister-in-law and brother-in-law who helped sponsor us. LBN
2 called them when we were late in making payments. That really hurt our relationship.

3 They said we were going to get them in trouble, and eventually problems got so bad that
4 we had to move out of their house and find somewhere else to live. That was also very
5 difficult. We couldn't find anywhere to live for a long time and didn't have any money.

6 22. My attorneys also told me that a class action could take a long time and that there was no
7 guarantee we would win anything. They also told me that class actions could be difficult
8 and time-consuming and that I would have to act in the best interest of others who went
9 through a similar process with LBN, even if it meant a greater sacrifice from me.

10 23. Over the last three and a half years, I have been very anxious about this case and possible
11 retaliation.

12 24. The deposition was especially difficult. I felt sad and humiliated talking about all of the
13 hardships my family and I had experienced. But I also felt supported by my attorneys
14 and was glad to be able to share the truth and have LBN hear how difficult it has been for
15 us and others.

16 25. I also had to miss work about 6 or 8 times for meetings and my deposition. This was a
17 very difficult decision for me to make because I am the head of my household. My wife
18 and children depend on me. I had to take any job I could get, and worked hard to keep it,
19 but my boss then was not very understanding. I remember one time I had to go to an
20 appointment, I think it was the deposition, and I told my boss in advance. But then when
21 I missed the day, he told me I did not have permission and he laid me off for one week
22 without pay. He said he did this to teach me a lesson.

23 26. It is hard for me to even think about what we had to do as a family to get money for rent
24 and food. We had to beg people to let us borrow money. We found someone to loan us
25 money, but with very high interest. We also borrowed money to pay rent. It was so
26 difficult. We incurred a lot of debt that we are still paying off.

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1 27. Traveling to meetings was also hard. I would take public transportation to Centro
2 Legal's office, which is about a 20-minute bus ride each way. Bus fare may not seem
3 like much, but when you barely make ends meet, it is a lot. Sometimes, I had to walk.

4 28. I felt motivated to be part of this case because we need justice. It hurts to think of
5 everything my family went through and I did not want others to have the same hardships.
6 Companies should treat people fairly, even if they don't speak English or have people
7 who can support them.

8 29. I did not expect, nor was I ever promised that I would receive a service award. However,
9 I believe that the proposed service award would fairly compensate me for the time, effort,
10 and sacrifices I have made with this case. I also understand that I have signed a release
11 of all claims I could have against LBN, which is a bigger release than the rest of the class.

12 30. I am very proud of the outcome of this case because I believe it will make things better
13 for other clients and sponsors of LBN.

14 I declare under penalty of perjury under the laws of California that the foregoing is true
15 and correct, and that this declaration was executed in Oakland, California, on September 1, 2020.

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18 VICTOR HUGO CATALAN MOLINA