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Attorneys for Plaintiff MICHAEL HILLSTROM

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF NAPA

MICHAEL HILLSTROM, an individual, on
behalf of himself and on behalf of all persons
similarly situated,

Plaintiff,

v.

CONSTELLATION BRANDS, INC., a
Delaware Corporation; TPWC, INC., a
Delaware Corporation; ROBERT MONDAVI
WINERY, a California Corporation;
CONSTELLATION BRANDS U.S.
OPERATIONS, INC., a New York
Corporation; FRANCISCAN VINEYARDS,
INC., a Delaware Corporation;
CONSTELLATION WINES U.S., INC., a
Corporation; and DOES 1-50, Inclusive,

Defendants.

Case No. 22CV000006

**DECLARATION OF MICHAEL
HILLSTROM IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: November 30, 2023

Time: 8:30 a.m.

Judge: Hon. Cynthia P. Smith

Dept.: A

1 I, MICHAEL HILLSTROM, declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would competently
3 testify to the following facts from my own personal knowledge. I am the lead named Plaintiff in the
4 above wage and hour class action filed against Constellation Brands, Inc. and TPWC, Inc. (hereinafter
5 “Defendants”).

6 2. This declaration is being submitted in support of Plaintiff’s motion for Preliminary
7 Approval of Class Action and PAGA Settlement.

8 3. I believe that I am, have been, and will continue to represent the interests of the Class
9 fairly and adequately. I have claims that are typical of the claims the Class Members that I am seeking
10 to represent.

11 4. I was employed by Defendants from May of 2014 to May of 2021 and was at all times
12 classified by Defendants as a non-exempt employee. During my employment, I was denied legally
13 compliant meal and rest periods, minimum wages and overtime compensation, was not reimbursed for
14 necessary business expenses, was not timely paid all wages due upon separation of employment, and
15 was not furnished with compliant wage statements. Throughout my employment, I was subject to
16 Defendant’s written policies and procedures contained in, among other documents, the “Employee
17 Handbook.”

18 5. Generally, my lawsuit claims that Defendants failed to pay for all time worked, failed
19 to furnish compliant wage statements, failed to reimburse necessary business expenses, failed to timely
20 paid all wages due upon separation of employment, and failed to provide compliant meal and rest
21 periods.

22 6. I believe that my claims are typical of the claims of the Class Members that I am seeking
23 to represent because I was subject to the same alleged unlawful employment policies and practices at
24 issue in this action, including but not limited to, Defendants’ failure to pay for all time worked, failure
25 to furnish compliant wage statements, failure to reimburse necessary business expenses, failure to
26 timely pay all wages due upon separation of employment, and failure to provide compliant meal and
27

1 rest periods. Factually, Defendants' policies and practices apply class wide, and Defendants' liability
2 can be determined by facts common to all members of the Class.

3 7. Further, there is no conflict between my interests and the interests of the class that I am
4 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that
5 I was injured by the same company-wide policies and practices to which the proposed Class was
6 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
7 of the Class by initiating this litigation and evaluating the proposed settlement to assure that it is fair.

8 8. I understood that at the time I filed this action, as a Class Representative, I owed a duty
9 to the putative class members to faithfully prosecute this action with their best interests at the forefront
10 of every decision. I understood that I could not make any decision in this action for the sole benefit
11 of my personal interest. I understood that in executing this duty, I might have been asked to sacrifice
12 my personal best interests for the benefit of the interests of the putative class members. Nevertheless,
13 I knowingly and voluntarily undertook this duty in order to provide the broadest possible relief for my
14 former co-workers for what I perceived to be Defendants' unlawful wage and hour practices. I believe
15 that I faithfully executed the duties of a Class Representative throughout this litigation and will
16 continue to do until this litigation is fully and finally resolved.

17 9. I believe that the proposed settlement before the Court is fair, reasonable, and adequate,
18 and made in the best interest of the Settlement Class Members. Consequently, I respectfully, and
19 humbly, ask the Court to grant preliminary approval of the Settlement and all of its terms.

20 I declare under the penalty of perjury under the laws of the State of California that the foregoing
21 is true and correct. Executed on October 31, 2023, at Rohnert Park, California.

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23 By: 
Michael Hillstrom (Oct 31, 2023 19:43 GMT+1)
24 MICHAEL HILLSTROM
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