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Attorneys for Defendant
SHAMBAUGH & SON, L.P.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

JIMMY MACIEL, individually, on a
representative basis, and on behalf of all others
similarly situated,

Plaintiff,

v.

SHAMBAUGH & SON, L.P.,; and DOES 1
through 20, inclusive,

Defendants.

Case No. 20STCV30747

ASSIGNED FOR ALL PURPOSES TO
HON. JUDGE ELIHU M. BERLE, DEPT. 6

**DECLARATION OF JOSHUA D.
KIENTIZ IN SUPPORT OF
PRELIMINARY APPROVAL OF
SETTLEMENT**

1 I, JOSHUA D. KIENITZ, declare as follows:

2 1. I am a Shareholder with the law firm of Littler Mendelson, P.C., attorneys of record for
3 Defendant Shambaugh & Son, L.P. ("Defendant") in this matter. I make this declaration regarding
4 the settlement between Plaintiff Jimmy Maciel ("Plaintiff") and Defendant (collectively, the
5 "Parties"). I have personal knowledge of the facts set forth herein and if called a witness, I could and
6 would competently testify thereto. I make this declaration under penalty of perjury.

7 2. As part of the settlement of the above-captioned action, the Parties jointly selected, as
8 the claims administrator, Phoenix Settlement Administrators ("PSA"). Defendant's undersigned
9 counsel is not aware of any facts that would render PSA unsuitable to serve as claims administrator.
10 Defendant's undersigned counsel further represents that it has no interest or relationship, financial or
11 otherwise, with PSA, other than a professional relationship arising out of prior experiences
12 administering settlements.

13 3. Defendant's counsel is not aware of any other pending matter or action asserting claims
14 that will be extinguished or adversely affected by the Settlement.

15 I declare under penalty of perjury under the laws of the State of California that the foregoing
16 is true and correct.

17 Executed on this 16th day of November 2022, in Oakland, California.

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20 JOSHUA D. KIENITZ

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