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on behalf of herself and all others similarly situated

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF YOLO

BRANDY L. SKUTLEY and TIMOTHY
MILLER, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

WALGREEN CO., an Illinois
Corporation, WALGREENS BOOTS
ALLIANCE, INC., an Illinois
Corporation, and DOES 1-50, inclusive,

Defendants.

Case No. CV2023-0740

Assigned for All Purposes to:
Hon. Timothy L. Fall

**DECLARATION OF TIMOTHY MILLER IN
SUPPORT OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND
REPRESENTATIVE ACTION SETTLEMENT**

Date: March 12, 2025
Time: 9:00 a.m.
Dept.: 11

Complaint Filed: April 10, 2023
FAC Filed: October 10, 2024
Trial Date: None Set

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DECLARATION OF TIMOTHY MILLER

I, TIMOTHY MILLER, hereby declare as follows:

1. I am the named plaintiff in the above-entitled action, *Timothy Miller v. Walgreen Co., et al.*, Los Angeles County Superior Court Case No. 23STCV12846.

2. All of the facts stated in this declaration are based on my personal firsthand knowledge, except as to those matters stated on information and belief and as to those matters I believe them to be true. If called as a witness, I could and would readily and competently testify to all matters stated in this declaration.

3. This declaration is filed in support of Plaintiff's Motion for Preliminary Approval of Class and Representative Action Settlement.

4. I worked as a full-time Master Technician Lead, which involved leading the maintenance technician team, performing maintenance tasks and mechanical repairs at Walgreens' distribution center, and documenting and correcting potential safety issues. Walgreen Co. ("Defendant") was my direct employer from approximately April 2004 to November 2022.

5. I seek to be a class representative in this lawsuit. I understand that a class representative: (a) represents the interests of all members of the class in litigation to recover money damages or obtain injunctive relief for the class; (b) has claims that are typical of those of the class, thus involving common issues of law or fact; (c) acts as a fiduciary to the class, always considering the interests of the class just as he would consider his own interests and, in some cases, putting the interests of the class before his own interests; (d) actively participates in the lawsuit, as necessary; (e) may be required to travel to give such testimony; (f) recognizes and accepts that any resolution of the lawsuit, by dismissal or settlement, is subject to court approval and must be designed in the best interest of the class as a whole; (g) should follow the progress of the lawsuit and provide all relevant facts to the lawyers for the class; and (h) volunteers to represent many other people with similar claims and injuries because of the importance of the case and the necessity that all class members benefit from the lawsuit equally.

6. I understand that the members of the proposed class are similarly situated with

1 respect to a common course of conduct, policy, or practice. I believe that, during my
2 employment with Defendant, I was subjected to the same uniform policies, procedures, and
3 practices as other members of the proposed class with respect to, among other things, meal
4 periods, rest periods, and Defendant's payment of overtime wages.

5 7. In February 2023, I retained Matern Law Group, PC to represent me in this
6 action. Since that date, I have actively participated in this case. I have spent approximately 20
7 to 25 hours on this case, including, but not limited to, maintaining regular contact with my
8 attorneys, keeping myself informed of developments in the case, meeting with my attorneys,
9 searching for and producing relevant documents, making myself available to my attorneys,
10 preparing for and responding to questions from my attorneys, including in preparation for
11 mediation, making myself available to my attorneys during the mediation, participating in
12 decisions concerning this case, including settlement, and reviewing the settlement agreement. I
13 estimate that I will spend an additional 2 hours on this case, including reviewing and discussing
14 with my attorneys my declaration in support of Plaintiff's motion for final approval and keeping
15 myself informed of development in the case up until final resolution.

16 8. I made sure that I understood everything that was going on in the case so I could
17 make the best informed decisions on behalf of the class and myself.

18 9. In agreeing to serve as the named plaintiff and Class Representative, I realized I
19 would be undertaking risks and giving up rights that other class members would not be facing.

20 10. I understood that my current or future employer might conduct a background
21 check on me or otherwise find out about my participation in this lawsuit against a previous
22 employer and might retaliate against me as a result.

23 11. In addition to having to pay my own litigation costs, I realized that I could be
24 responsible for paying the Defendant's litigation costs if we did not win at trial.

25 12. Furthermore, as part of the Joint Stipulation of Class and PAGA Action
26 Settlement, I am releasing all of my individual claims arising from my employment with
27 Defendant and waiving my rights under Civil Code section 1542 as to any and all claims
28 against Defendant. I understand that this release is a broader release than the release that applies

1 to the other class members.

2 13. Moreover, in bringing this action as a class action, I agreed to postpone the
3 prosecution of my individual Labor Code claims against Defendant.

4 14. Yet, despite these risks and my waiver of rights, I felt so strongly about standing
5 up for the rights of my fellow coworkers that I decided to bring and participate in this lawsuit.

6 15. I believe that the requested \$10,000.00 Class Representative Enhancement
7 Payment for serving as a class representative is reasonable given the substantial time and effort
8 I have expended on behalf of the class and the risks I faced in serving as a named plaintiff and
9 class representative. The class members will receive the opportunity to participate in the
10 settlement and to recover payment for the alleged wage and hour violations. Because I put
11 myself on the line, each class member does not have to expend his or her own time and
12 resources to pursue legal remedies individually. This action would not have been possible
13 without my active participation and my willingness to place myself at risk for the sake of the
14 other class members.

15 16. I know that without my effort, this lawsuit would not have been brought on
16 behalf of Defendant's non-exempt employees. Throughout the entire litigation, I did the best I
17 could to represent the class and to look out for its interests. As a class representative, I will
18 always consider the interests of class members just as I would consider my own interests, and I
19 understand that in some situations I must put the interests of class members before my own
20 interests. I will continue to actively participate in the lawsuit, as necessary. I recognize and
21 accept that any resolution of this lawsuit is subject to court approval and must be in the best
22 interest of the class as a whole.

23 17. I do not believe that I have any conflict with any other class members or interests
24 that are adverse to the other class members.

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

3 Executed on February 11, 2025, at Moreno Valley, California.

4 *Timothy Miller*

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