

JCL LAW FIRM, APC

Jean-Claude Lapuyade (State Bar #248676)

Monnett De La Torre (State Bar #272884)

5440 Morehouse Drive, Suite 3600

San Diego, CA 92121

Telephone: (619) 599-8292

Facsimile: (619) 599-8291

jlapuyade@jcl-lawfirm.com

mdelatorre@jcl-lawfirm.com

ZAKAY LAW GROUP, APLC

Shani O. Zakay (State Bar #277924)

Jackland K. Hom (State Bar #327243)

5440 Morehouse Drive, Suite 5400

San Diego, CA 92121

Telephone: (619) 255-9047

Facsimile: (858) 404-9203

shani@zakaylaw.com

jackland@zakaylaw.com

Attorneys for Plaintiffs

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN JOAQUIN

GABRIEL MENDEZ, GEORGE GOSCH,
JOHN DIAN, MICHAEL KNIGHTON,
individuals, on behalf of themselves and on
behalf of all person similarly situated,

Plaintiffs,

vs.

BONDZ, INC., a California Corporation; and
DOES 1-50, Inclusive,

Defendants.

Case No. STK-CV-UOE-2020-0007486

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

Hearing Date:

Hearing Time:

Judge: Hon. George J. Abdallah

Dept.: 10A

Action Filed: September 9, 2020

1 I, MICHAEL KNIGHTON, 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 and PAGA action filed against Bondz, Inc. (Hereinafter, "Defendant")

5 2. I am submitting this declaration in support of Plaintiff's Motion for Preliminary Approval
6 of Class and PAGA Action Settlement.

7 3. I believe that I am, have been and will continue to represent the interests of the class fairly
8 adequately. I have claims that are typical of the claims the Class Members that I am seeking to represent.
9 Specifically, I worked for Defendant as a non-exempt truck driver from approximately January 2018
10 to October 2020. Defendant is one of the largest producing trucking contractors for FedEx Ground, and
11 has operations in multiple states, including California. As a non-exempt employee compensated, I was
12 entitled to legally mandated meal and rest periods, minimum wage and overtime compensation and
13 reimbursement for necessary business expenses. During my employment, Defendant failed to provide
14 compliant meal and rest periods, furnished inaccurate itemized wage statements, and failed to pay for
15 all time worked or provide wages when due. Throughout my employment, I was subject to Defendant's
16 written policies and procedures.

17 4. My claims are typical of the claims of the Class Members that I am seeking to represent
18 because I was subject to the same alleged unlawful employment policies and practices at issue in this
19 action, including but not limited to, Defendant's failure to provide compliant meal and rest periods,
20 furnish accurate itemized wage statements, miscalculation of the regular rate of pay for purposes of
21 paying overtime compensation, and failure to reimburse employees, including myself for mandatory
22 business expenses. Factually, Defendant's policies and practices apply class wide, and Defendant's
23 liability can be determined by facts common to all members of the Class.

24 5. Further, there is no conflict between my interests and the interests of the class that I am
25 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that
26 I was injured by the same company-wide policies and practices to which the proposed Class was
27 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
28

1 of the Class by initiating this litigation, communicating with class counsel about the claims as they
2 apply to myself and others, undertaking extensive class document evaluation and evaluating the
3 proposed settlement to assure that it is fair.

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

13 7. I believe that the proposed settlement before the court is fair, reasonable, and adequate,
14 and made in the best interest of the Settlement Class Members. Consequently, I respectfully, and
15 humbly, ask the Court to Grant preliminary approval of the Settlement and all of its terms.

16 I declare under the penalty of perjury under the laws of the State of California that the foregoing
17 is true and correct. Executed Mar 12, 2023, 2023, at Valley springs (location/City), California.

18
19 By: 
20 Michael Knighton (Mar 12, 2023 12:37 PDT)
21 MICHAEL KNIGHTON
22
23
24
25
26
27
28