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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

CLARENCE SMITH, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

v.

WATLOW ELECTRIC
MANUFACTURING COMPANY, a
Missouri corporation; and DOES 1 through
50, inclusive,

Defendants.

PHUOC TRUONG, on behalf of himself and
all “aggrieved employees” pursuant to Labor
Code § 2698 et seq.,

Plaintiff,

v.

WATLOW ELECTRIC
MANUFACTURING COMPANY, a
Missouri corporation, and DOES 1 through
10, inclusive,

Defendants.

CASE NO. 20CV365250
Consolidated with Case No. 20CV362069

*[Assigned for all purposes to the Hon. Sunil R.
Kulkarni, Dept. 1]*

CLASS ACTION

**DECLARATION OF PHUOC TRUONG
IN SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT AND APPLICATION FOR
APPROVAL OF ATTORNEYS’ FEES
AND COSTS, CLAIMS
ADMINISTRATION FEES, AND CLASS
REPRESENTATIVES’ SERVICE
PAYMENTS**

DATE: May 26, 2021

TIME: 1:30 P.M.

DEPT.: 1

*Complaint filed: March 18, 2020
Trial Date: None*

DECLARATION OF PHUOC TRUONG IN SUPPORT OF MOTION FOR FINAL APPROVAL OF CLASS ACTION
SETTLEMENT AND APPLICATION FOR APPROVAL OF ATTORNEYS’ FEES AND COSTS, CLAIMS
ADMINISTRATION FEES, AND CLASS REPRESENTATIVES’ SERVICE PAYMENTS

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18 Attorneys for Plaintiff Truong and Aggrieved Employees

1 I, PHUOC TRUONG, hereby declare and state as follows:

2 1. I am a named Plaintiff in this lawsuit against Defendant Watlow Electric
3 Manufacturing Company (“Defendant”) and I submit this declaration in support of
4 Plaintiffs’ Motion for Final Approval of Class Action Settlement and Plaintiffs’
5 Application for Attorneys’ Fees and Costs, Claims Administration Fees, and Class
6 Representatives’ Service Payments. I am a competent adult and was employed by
7 Defendant during the applicable class period. I have personal knowledge of the facts set
8 forth herein, and if called as a witness to testify to them, I could and would do so
9 competently.

10 2. I contacted my current attorneys when I questioned the employment
11 practices of Defendant prior to commencing this lawsuit. I accepted the opportunity to
12 act as a Class Representative in a class action on behalf of other employees of Defendant
13 whom I believed were being subjected to labor law violations. Although presented with
14 the opportunity, I did not pursue this case on an individual basis and instead did so as a
15 class action so that I could help other employees recover for what I believed were
16 Defendant’s improper practices.

17 3. Specifically, I questioned Defendant’s policies of failing to provide
18 complaint off-duty meal periods, failing to provide compliant off-duty rest periods,
19 failing to timely pay wages upon separation of employment, and failing to provide
20 proper paychecks and accurate itemized wage statements.

21 4. By bringing this lawsuit, and throughout its course, I have put the interests
22 of the class ahead of my own. I understood that I could possibly earn a modest
23 enhancement payment if this case resolved itself favorably, but always knew that I could
24 also be responsible for paying Defendant’s attorneys’ fees and costs if it did not. My
25 goal in bringing this lawsuit was to obtain a recovery on behalf of the class, and even
26 more importantly, to put an end to what I believed were illegal practices on the part of
27 Defendant. I believe I have achieved both through this lawsuit and settlement.

5. I am very happy about the results of this litigation. I am satisfied that Defendant is compensating class members for wages and penalties that I believe that we are owed under California law.

6. At the onset of this case, I spent time through numerous phone calls with several of my attorneys explaining what I understood to be the policies and procedures of Defendant and how they were applied to Defendant's California employees. During the course of this litigation, up through and following the settlement process, I kept actively involved with its status, tracking the status of the case and participating as much as possible. I also helped my attorneys to settle the case on a class-wide basis.

7. While I have not maintained detailed time records of my activities in connection with this litigation, I believe that I have spent a total of approximately 25 hours assisting my attorneys with the preparation of this case, including doing work and analysis independent from my attorneys both before and during this case.

8. Before this litigation commenced, and throughout its course, I have spent approximately 10 hours gathering, organizing, and reviewing documents and information for this lawsuit. I sifted through many of my own documents and reviewed information produced by Defendant as part of this litigation.

9. I have communicated with my attorneys several times per month to track my case's status. I have taken an active involvement in this matter throughout its course.

10. I participated in the settlement negotiations. Throughout the settlement negotiations, I provided my input on such issues as the facts of the case and what I believed would be a fair settlement amount and allocation.

11. I am quite confident that pursuing this lawsuit will result in future reputational harm to me. There is a stigma associated with suing one's former employer. I suspect I may be adversely affected when it comes to obtaining future employment – employers who discover that I sued Defendant in a class action will likely avoid hiring me.

1 12. I am unaware of any conflicts which I could possibly have with other
2 members of the class. In fact, my interests in bringing this lawsuit – for Defendant to
3 change its labor practices going forward and to compensate current and former
4 employees – are the same as those of all other class members.

5 I declare, under penalty of perjury, under the laws of the State of California that
6 the foregoing is true and correct. Executed on this 29th day of April, 2022 at San Jose,
7 California.

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10 PHUOC TRUONG
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TITLE	Declaration of Phuoc Truong in Support of Motion for Final...
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Sent for signature to Phuoc Truong (truongmagic@yahoo.com) from office@gaineslawfirm.com
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