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Attorneys for Plaintiffs, JESSICA GARCIA,
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other individuals similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

JESSICA GARCIA, RUDY JIMENEZ,
individually and on behalf of other individuals
similarly situated,

Plaintiffs,

vs.

THE MERCHANT OF TENNIS, INC., a
California Corporation, dba U.S. Merchants, and
DOES 1 through 100,

Defendants.

Case No.: CIVDS2005614

*[Assigned for all purposes to the Honorable
Joseph Widman, Dept S36-SBJC]*

**DECLARATION OF JESSICA GARCIA IN
SUPPORT OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: April 23, 2026
Time: 9:00 a.m.
Dept.: S36-SBJC

Complaint Filed: February 26, 2020
Trial Date: None Set

DECLARATION OF JESSICA GARCIA

I, Jessica Garcia , declare as follows:

1. I am over eighteen years of age and am a resident of San Bernardino County. I am one of the Plaintiffs in the above-captioned action. I make this declaration based upon my personal knowledge. I could and would competently testify as to the facts set forth herein if called upon to do so.

2. I make this declaration in support of the parties' Class Action and PAGA Settlement Agreement ("Settlement" or "Settlement Agreement").

3. I was employed by Defendant The Merchant of Tennis, Inc. ("Defendant" or "MOT") in receiving at both Ontario and Mira Loma warehouses in California from approximately 2015 through 2016 and then again during 2017 and 2019. I worked full-time and was classified as a non-exempt employee at all relevant times.

4. During my employment at MOT in 2019, my job duties primarily involved unloading the trucks that would come in. Typically, trucks would come in, and a forklift driver would unload the pallets.

5. Additionally, I was not paid proper wages for all time that I performed work for Defendants. This included being underpaid for my actual time worked and not being paid the overtime wages owed to me.

6. In or about February 26, 2020, I decided to pursue wage and hour claims against Defendant. Because I believed the conduct I was complaining about affected other employees, it was important to me that I bring my case on behalf of not only myself, but of my fellow employees as well.

7. During my consultations with my attorneys, I educated them on Defendant's policies and practices, I also agreed to represent all other similarly situated current and former non-exempt employees of Defendant in the State of California and to obtain relief for the entire class. I agreed to consider the interests of the class just as I would consider my own interests.

8. When I agreed to represent other non-exempt employees of Defendant, I understood it was my duty to be readily available and to participate actively in this case. I knew that I would be required to review documents, search for documents and produce them to my attorneys, answer written interrogatories and questions, potentially answer oral questions and testify truthfully under oath, and be available to appear in Court, if necessary. I understood that I needed to maintain awareness of the status and progress

1 of the lawsuit.

2 9. At that time, I also realized I was taking a significant amount of risk in filing class action
3 claims against Defendant. For example, I understood I might be responsible for the payment of
4 Defendant's court-awarded litigation costs in the event I did not prevail in the litigation. Even though I
5 understood that such costs could be financially devastating to me personally, I still pressed forward with
6 the litigation.

7 10. I also knew that when I decided to search for employment outside of working for
8 Defendant, my name could easily be located on the Internet or through other searches and that any
9 prospective employer may find out that I had sued my former employer as a class representative.

10 11. Even though I knew I was taking risks, including losing at trial, I knew I had to do what I
11 believed was right and pursue claims on behalf of myself and other workers and attempt to recover the
12 wages and money owed to us.

13 12. Throughout the litigation I have been an active participant. I have provided my attorneys
14 with documents and information used by them in the litigation. I have spent significant time and effort
15 pursuing my claims and the claims of the other workers from the time I retained my attorneys to the present
16 date.

17 13. Before the case was filed, I spent time locating documents. I also reviewed documents
18 including my personnel file. I reviewed all documents that have been submitted on my behalf in this action
19 including the notice to the LWDA and the complaint.

20 14. I authorized the filing of the class action lawsuit against Defendant on February 26, 2020
21 in San Bernardino County Superior Court.

22 15. I understood that as a named Plaintiff a lot of work would be required of me, and I was
23 willing to perform that work to assist my attorneys in bringing this lawsuit.

24 16. My attorneys informed me that Defendant agreed to participate in mediation to potentially
25 resolve this case and it was scheduled for December 7, 2025. I worked with my attorneys to assist them
26 in formulating questions to be asked to Defendant and identify which documents they should request to
27 be produced in anticipation of mediation.

28 17. After my attorneys obtained documents from Defendant, I worked with them to explain

1 the various terminology and to better understand the policies and practices of Defendant both as written
2 and in practice.

3 18. I believed it was in the best interest to attempt to resolve this case early instead of engaging
4 in additional costly and time-consuming litigation in court. I agreed to participate in a mediation session
5 and spent time discussing the details of the case with my attorneys in preparation for the mediation. As
6 part of the mediation preparation, I once again reviewed documents Defendant gave to my attorneys and
7 provided them with details of my personal experience working with Defendant.

8 19. In December 2025, my attorneys promptly explained to me the status of the settlement
9 negotiations and we discussed the terms of the settlement before accepting.

10 20. It is my opinion that the proposed class action settlement achieved is fair, adequate, and
11 reasonable.

12 21. I have no conflicts of interest with other current or former non-exempt employees
13 represented in this case.

14 22. I also feel my participation as the representative in this class action lawsuit could inhibit
15 my ability to seek gainful employment in the future.

16 23. I have actively participated in this litigation. Among other things, I communicated with
17 counsel regarding the facts of the case, reviewed documents, and prepared for and participated in a full-
18 day deposition where I answered questions under oath regarding my employment and the allegations
19 asserted on behalf of the class.

20 24. I estimate I have spent approximately 45-50 hours working with my lawyers, performing
21 the various tasks described in this declaration, helping my attorneys prepare for mediation, and reviewing
22 the Settlement Agreement, not only for my own benefit but for the benefit of all other class members.

23 25. To this date, I continue to regularly communicate with my attorneys about the progress of
24 the case.

25 26. I am respectfully requesting the Court award me a \$10,000 class representative service
26 payment. I believe this amount is very reasonable considering the significant amount of work, time, and
27 effort I have spent with my attorneys to achieve this settlement. The time and service I provided to the
28 class resulted in the parties agreeing to settle the case and in a positive outcome to the entire class, who

1 will receive a share of the settlement funds in this case.

2 27. I also believe the amount of the class representative service payment is very reasonable
3 considering the financial and professional risks I took by bringing a class action lawsuit against my current
4 employer, particularly in the tough job economy, and the risk of not prevailing in the lawsuit and being
5 responsible for the payment of costs to Defendants.

6 28. As part of the settlement, I agreed to provide Defendants with a complete release of every
7 possible claim against them rather than simply the release for wage and hour claims alleged in the
8 complaint. I agreed to this additional release because it meant that the case could be resolved favorably.

9 29. I am committed to this case and will continue to make myself available as needed in the
10 settlement process.

11 30. I understand that as a proposed class representative, I am agreeing to assume certain
12 obligations for the benefit of my former co-workers at MOT. I understand that I must be truthful in the
13 representations I make regarding this case. I also understand that I have an obligation to fully cooperate
14 with my lawyers. I further understand that I must treat the interests of the employees who are in the class
15 that I seek to represent the same as I would my own interests. In other words, I know that I cannot put my
16 own interests ahead of those of the other class members. I am fully prepared to take on all of these
17 obligations to serve as a class representative.

18 I declare under penalty of perjury under the laws of the State of California and the United States
19 that the foregoing is true and correct. Executed on 03 / 04 / 2026, in Hesperia, California.

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21 Jessica Garcia
22 JESSICA GARCIA
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