

David Mara, Esq. (SBN 230498)
Jill Vecchi, Esq. (SBN 299333)
MARA LAW FIRM, PC
2650 Camino Del Rio North, Suite 205
San Diego, California 92108
Telephone: (619) 234-2833
Facsimile: (619) 234-4048

Attorneys for ERIK MARTINEZ,
on behalf of himself, all others similarly situated,
and on behalf of the general public.

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

Attorneys for ERIK MARTINEZ,
on behalf of himself, all others similarly situated,
and on behalf of the general public,

Plaintiff,

v.

PATRICK INDUSTRIES, INC.; and DOES 1-
100,

Defendants.

Case No. CIVDS2009663

*[Assigned for All Purposes to the
Hon. David Cohn; Dept. S26]*

**DECLARATION OF PLAINTIFF ERIK
MARTINEZ IN SUPPORT OF
SETTLEMENT APPROVAL**

Complaint Filed: June 1, 2020
Trial Date: None Set

1 I, ERIK MARTINEZ, hereby declare under penalty of perjury as follows:

- 2 1. I have personal knowledge of all matters stated herein, and if called as a witness, I could
3 and would competently testify thereto, except as to those matters stated upon information
4 and belief, and as to those matters, I believe them to be true.
- 5 2. I am a named Plaintiff and Class Representative in the above-captioned lawsuit, and I
6 submit this declaration in support of settlement approval.
- 7 3. I worked for Patrick Industries, Inc. (referred to herein collectively as “Patrick”) as an
8 hourly, non-exempt employee from approximately January 2019 to April 2019.
- 9 4. I contacted an attorney because I believed that some of Patrick’s policies and practices
10 violated the law. I agreed to file this lawsuit as the named class representative in September
11 2019. Since then, I have been in communication with my attorneys about this case. I always
12 answered phone calls from my attorneys and called them back promptly when they called.
13 I have worked diligently to help progress the case. This lawsuit continued for several years
14 and required my services and attention during this time.
- 15 5. I was aware that, at some point in this case, I would have my deposition taken. I knew that
16 the deposition could take a full day and that I may have to meet with my attorneys prior to
17 my deposition. I was at all times ready and willing to sit for my deposition.
- 18 6. I gave my consent to settle with Patrick for the gross settlement amount of \$1,800,000. I
19 completely and carefully reviewed and signed the MOU and settlement agreement.
- 20 7. In light of the work I performed in this case and the duties associated with being a class
21 representative in a case of this magnitude, I believe the \$7,500 enhancement award request
22 is reasonable. I understand that this additional service award is not guaranteed and is subject
23 to Court approval.
- 24 8. I have and will continue to adequately represent all of the interests of the class. With my
25 status as class representative, I have and will continue to treat the interests of the class above
26 my interests.

1 9. My claims are typical of the Class Members because I am similarly situated to all current
2 and former non-exempt individuals employed by Defendants in California. Thus, my
3 interests are the same as all members of the proposed Class.

4 10. From the very beginning of the case, I understood that I was participating in this case, not
5 only for my own benefit, but for the benefit of the many past and present employees of
6 Patrick.

7 11. I recognize that any resolution of this matter must be approved by the Court in terms of
8 whether the settlement is fair and reasonable, and that I am obligated to protect the interests
9 of all of Class Members for the Class Period.

10 I declare under penalty of perjury under the laws of the State of California that all the
11 foregoing is true and correct.

12
13 Dated: 6/9/2022 | 3:56:58 PM PDT

DocuSigned by:
By:  _____
ERIK MARTINEZ
Erik.Martinez@att.net