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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

ERNESTO DELGADO, as individuals and on
behalf of all others similarly situated,

Plaintiffs,

vs.

KLOECKNER METALS CORPORATION,
a Delaware corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No.: 20STCV22503

[Assigned to the Honorable Yvette M.
Palazuelos, Department 9]

**DECLARATION OF ERNESTO
DELGADO IN SUPPORT OF
PLAINTIFF'S MOTION FOR FINAL
APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT**

Date: August 1, 2023
Time: 10:00 A.M.
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1 automatically issued the ATM pay card to me. I incurred various charges to use the pay card,
2 which resulted in me getting paid less than all of my final wages.

3 7. During the pendency of this lawsuit, I was required to provide assistance to my
4 attorneys, including meeting with them, providing them with documents and information,
5 reviewing the complaint and discovery responses, and participating in the settlement process. I
6 also spent time preparing for and having my deposition taken. I reviewed and approved
7 numerous case-related documents. I met with my attorneys on at least 5 separate occasions in
8 relation to this case. In total I estimate that I have spent 60 hours on the prosecution of this
9 matter.

10 8. Throughout this case, I have continuously been kept apprised of the status of this
11 case.

12 9. I understand that the class claims alleged in this action were brought on behalf of
13 other similarly situated employees, and thus I am acting as a representative for the class. As the
14 class representative, I understand that it is my responsibility to act in the class's best interest and
15 not my own. I agree that I will not put my own interests ahead of that of the class. Moreover, I
16 am not aware of any conflicts that exist between my interest and the interests of the class that
17 would impair or affect my ability to serve as representative for the class. I believe I was
18 subjected to the same meal and rest break practices and payroll issues as other class members.

19 10. I have and continue to be willing to assist in the investigation of this matter as
20 well as make myself available for trial or any further proceeding in this matter as required to
21 represent the interests of the class. I also understand my duties and responsibilities to the
22 proposed class and will carry out those duties as necessary.

23 11. Based on my understanding of the case, I am of the opinion that settlement for the
24 consideration and on the terms set forth in the Second Amended Stipulated Settlement
25 Agreement and Release of Claims are fair, reasonable, and adequate and is in the best interests of
26 the class.

27 12. I am aware and have been aware from the inception of the case, that there is the
28 risk that if I do not win my case, then I could be liable for Defendant's litigation costs. I accepted

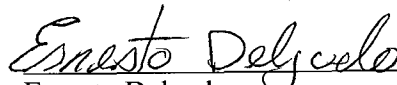
1 that risk in this case. I also understood that an individual case would have resolved much faster
2 than a class action and involved much less financial risk than a class action.

3 13. I understood that filing this lawsuit is a public record, and I accepted that burden.
4 I further understood that, because this lawsuit is a public record, it could and can adversely affect
5 my ability to obtain employment.

6 14. In connection with the settlement, I also executed a general release of any and all
7 claims, known and unknown, including a waiver of Civil Code § 1542, which was not required
8 of other Settlement Class Members.

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

11 Executed on this 27 day of June 2023, at Los Angeles, California.

12
13 
14 Ernesto Delgado