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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

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

BOBBY MOODY, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

DURA TECHNOLOGIES, INC, a Wyoming
Corporation; HAWKEYE INDUSTRIES
INC., a Georgia Corporation; REVCHEM
COMPOSITES, INC., a California
Corporation; and DOES 1 through 20,
inclusive;

Defendants.

Case No.: CIVDS 2008887
*[Assigned to Hon. Judge David Cohn, Dept
S26, for all purposes]*

**DECLARATION OF PLAINTIFF BOBBY
MOODY IN SUPPORT OF CLASS
ACTION SETTLEMENT**

Complaint filed: 5/29/2020

I, Bobby Moody, state and declare:

1. I am a Plaintiff in the above captioned action and have personal knowledge of all
matters stated herein and could competently testify thereto.

2. I make this declaration in support of the motion for final approval of the class
action settlement reached in this matter. As discussed herein, I believe that the settlement is fair
and reasonable and constitutes a fair resolution of the claims alleged.

1 3. I was employed by Defendant from about February 2019 through March 2020.
2 During my employment, there were several practices that I believe violated California law.
3 Therefore, once I was terminated by the company, I researched attorneys and contacted
4 Fernandez & Lauby LLP. Although I did not think I was being paid correctly, I was unsure if I
5 wanted to bring a lawsuit because of the risk of stepping forward as a whistle blower, since this
6 could jeopardize my livelihood in the industry and make it difficult to find future jobs.
7 Nevertheless, because I did not think that myself or the other employees were being paid
8 correctly for the work we performed, I retained Fernandez & Lauby to move forward with a case.

9 4. After retaining Fernandez & Lauby, I understood that I had two options: I could
10 pursue my individual case and attempt to maximize my personal recovery, or I could bring a
11 class/representative action and put the interests of the class ahead of my own. The decision of
12 whether to bring my individual claims or to bring a class action put me in a tough spot, because
13 on the one hand, I wanted to hold the company accountable for how they treated me and, on the
14 other hand, I wanted to help all of the other employees that were not paid correctly. And I knew
15 that, if I wanted to bring a class action, I would need to put the interests of the class first to better
16 serve the class. In the end, in the interest of helping all employees that were subjected to the
17 wage violations, I decided to help everyone by bringing a class/representative action.

18 5. Since first initiating this action, I estimate that I have spent at least forty-five
19 hours engaged in activities to benefit the class. I have assisted my attorneys in numerous ways,
20 including helping to explain and discuss the company's practices and their general practices and
21 procedures. These efforts occurred through numerous in-person meetings with Class Counsel,
22 telephone conferences, letters, emails, and text communications. I also assisted in preparation
23 for mediation and helped obtain a positive result for the class.

24 6. I respectfully request that the Court approve the agreed-upon service award. I
25 agreed to set aside my personal interests and to put the interests of the class ahead or on par with
26 my own. In doing so, and as a result of successfully bringing this case as a class action, I helped
27 to obtain a beneficial settlement for the class members. Furthermore, being a whistle blower has
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1 been stressful on a day-to-day basis as I have constantly worried about the risk that this case
2 could impact my ability to find future jobs.

3 I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct. Executed on Jun 29, 2021 (date), at Las Vegas (city),
5 Nevada (state).

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7 By: *Bobby Moody*
8 Bobby Moody
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