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Attorneys for Plaintiff

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

ASHANTI BERRY, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

PDS TECH, INC, a Washington corporation;
and DOES 1 through 100,

Defendants.

Case No. 20STCV18030

*[Case assigned for all purposes to the
Hon. Yvette M. Palazuelos, Dept. 09]*

**DECLARATION OF ASHANTI BERRY
IN SUPPORT OF APPROVAL OF
CLAIMS BROUGHT UNDER THE
PRIVATE ATTORNEYS GENERAL
ACT, AND REASONABLE ATTORNEYS'
FEES AND COSTS**

Date: June 21, 2021
Time: 10:00 a.m.
Dept: 09

Action Filed: May 8, 2020
Trial Date: None Set

DECLARATION OF ASHANTI BERRY

I, ASHANTI BERRY, declare as follows:

1. I am an individual over the age of 18 and am a named plaintiff in this matter against Defendant PDS TECH, INC. ("PDS Tech"). This declaration is submitted in support of approval of the Settlement Agreement reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

2. I have been employed by PDS Tech as a non-exempt "Material Handler" since approximately June 18, 2019 to present, but I have been on a medical leave of absence since approximately July 19, 2019. Throughout the entirety of my employment with PDS Tech, I was staffed at Toyota's North American Parts Center ("Toyota").

3. While working for PDS Tech at Toyota, I was required to complete pre-shift work off-the clock. For instance, when I arrived at Toyota, I was required to first sign in with a security guard at the front of the warehouse before I could enter the warehouse and clock-in for my shift. As there was only one timeclock for temporary employees, like myself, which was located at the back of the warehouse, it took me at least five minutes to clock in each morning. This time was even longer when I was required to wait in line to both sign in with the security guard and clock-in for my shift. Similarly, at the end of my shift, I was required to clock out at the back of the warehouse before walking to the front of the warehouse to sign out with the security guard. Because I and other employees often ended our shifts at the same time, and there was only one timeclock for all temporary employees, I would have to wait in multiple lines in order to clock out for my shift as well as sign out with the security guard. This process could take anywhere from 5 to 30 minutes off-the-clock. Additionally, PDS Tech did not require me to clock-in and out for my meal periods. Instead, I believe PDS Tech just automatically deducted 45-minutes for my lunch regardless if I took 45-minutes for my lunch or not. During my rest periods, I was not able to leave Toyota's facility but instead took my rest periods at my station.

4. I brought this lawsuit because I wanted PDS Tech to comply with the law and treat its employees fairly. I feel that I have taken on a greater burden than any of the other employees because I have been actively involved in the litigation, and because it is my name that is attached

1 to the lawsuit. Through my efforts, PDS Tech has agreed to a settlement that will benefit current
2 and former employees of PDS Tech and I believe that I should be compensated for carrying the
3 burden of this litigation for the benefit of the other employees.

4 5. I have been actively involved in this case since it was first filed in May 2020.
5 Among other things, I searched for and gathered documents and provided them to my attorneys,
6 and engaged in multiple discussions with my attorneys regarding PDS Tech's policies and
7 practices as well as my experience working for PDS Tech. I have also had numerous discussions
8 with my attorneys about this settlement, other employees of PDS Tech who experienced similar
9 wage and hour violations and who I believed could act as witnesses, as well as general case
10 strategy to help facilitate a beneficial settlement. In total I estimate that I have spent approximately
11 10 hours on these activities.

12 I declare under penalty of perjury under the laws of the state of California and the United
13 States that the foregoing is true and correct. Executed on March 23, 2021 at Montebello,
14 California.

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16 Ashanti Berry (Mar 23, 2021 11:38 PDT)

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