

James R. Hawkins (SBN 192925)
Christina M. Lucio (SBN 253677)
Mitchell J. Murray (SBN 285691)
Eric Tims (SBN 342617)

JAMES HAWKINS APLC
9880 Research Drive, Suite 200
Irvine, California 92618
Telephone: (949) 387-7200
Facsimile: (949) 387-6676
James@Jameshawkinsaplc.com
Christina@Jameshawkinsaplc.com
Mitchell@Jameshawkinsaplc.com
Eric@Jameshawkinsaplc.com

Attorneys for Plaintiffs THOMAS HARDWICK and CARA NOONE,
individually and on behalf of all others similarly situated.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

THOMAS HARDWICK AND CARA
NOONE, on behalf of themselves and all
others similarly situated,

Plaintiff,

v.

HOOVESTOL, INC., a Minnesota
corporation; 10 ROADS EXPRESS, LLC,
a Delaware Limited Liability Company;
and DOES 1 through 10, inclusive,

Defendants.

Case No.: 20STCV19610

Assigned For All Purposes To:
Hon. William F. Highberger

**DECLARATION OF PLAINTIFF CARA
NOONE IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION AND PAGA
SETTLEMENT**

Date: April 12, 2024
Time: 10:30 a.m.
Dept.: 10

Complaint Filed: May 21, 2020
FAC Filed: November 15, 2023

1 I, Cara Noone, declare as follows:

2 1. I am over the age of eighteen (18) and a resident of the State of California. I am one
3 of the named plaintiffs in the above-titled case. I have personal knowledge of the facts set forth in
4 this declaration, and if called upon to testify, I could and would competently testify thereto.

5 2. I worked as a salaried route manager and then driver manager for 10 Road Express,
6 LLC ("10 Roads" or "Defendant") from approximately June 2018 to March 2021.

7 3. Because I thought the practices at 10 Roads may not be lawful, I decided to seek
8 legal advice about my work experiences at 10 Roads and about filing a lawsuit to obtain relief for
9 my grievances. I contacted James Hawkins APLC and spoke with their attorneys. After speaking
10 with the attorneys, I also investigated representative action lawsuits on my own. Thereafter, I
11 further consulted with the attorneys at James Hawkins APLC about my situation, class actions,
12 representative action lawsuits under the Private Attorneys General Act ("PAGA"), and what it
13 meant to bring a PAGA action so that I understood what I was considering doing. After meeting
14 with my attorneys about these issues, I decided to proceed with a lawsuit against my former
15 employer. At the time, I also agreed to represent all other similarly situated exempt and non-exempt
16 employees who worked for Defendant in California, and to obtain relief for the Aggrieved
17 Employees.

18 4. I am aware and have been aware from the inception of the case, that there is the risk
19 that if I do not win my case, then I could be liable for Defendant's litigation costs. I accepted that
20 risk in this case. I also understood that an individual case would potentially have resolved much
21 faster than a representative action and involved much less financial risk than a representative action.

22 5. I have and continue to be willing to assist in the investigation and prosecution of
23 this matter. I have regularly conferred with my attorneys regarding the case as part of my
24 responsibilities as a PAGA representative. I have searched for and provided any necessary
25 information and documents to my attorneys, including my paystubs, letters and e-mails, policy
26 documents, and other employment documents; reviewed documents and pleadings in this case,
27 including my PAGA letter, the PAGA action complaint, the settlement agreement, and this
28 declaration; and communicated with other employees regarding their experiences working with

1 Defendant. In addition, I will also make myself available for any further proceedings in this matter
2 as required to represent the interests of the Aggrieved Employees. I also understand my duties and
3 responsibilities to the Aggrieved Employees and will continue carry out those duties.

4 6. I routinely checked in with my attorneys and their staff to make sure that they had
5 all my most current information and any additional information that I had obtained. I also made
6 myself available to answer any questions my attorneys had about Defendant's practices and
7 treatment of their employees whenever they needed me, including at the mediation stages. I
8 responded to them as quickly as possible and gave them as much information as I could.

9 7. I reviewed the settlement agreement, discussed the settlement agreement with my
10 attorneys, and asked them questions before signing it. Based on the information provided, I believe
11 the settlement to be fair, adequate, and reasonable for myself and the Aggrieved Employees.

12 8. I believe that I have done everything that my attorneys have asked of me and tried,
13 to the best of my ability, to seek relief for the Aggrieved Employees and the State of California. I
14 have spent many hours participating in this matter as described above. I believe my efforts helped
15 get the result obtained in this case.

16 9. I am proud of the result and accomplishment of this lawsuit. I feel that it is a positive
17 accomplishment and understand that other people will benefit because of the actions that I have
18 taken.

19 10. I understand that any resolution of this lawsuit on a representative basis is subject to
20 court approval, and any settlement must be designed in the best interest of the Aggrieved
21 Employees as a whole. At all times throughout the course of this litigation I have considered the
22 interests of the Aggrieved Employees and put them before my own personal interests.

23 11. I understand that, as part of the settlement, I will be asking the Court to approve a
24 service payment for me as the PAGA Representative. I understand that any service payment is
25 discretionary and intended to compensate named plaintiffs for the quality and quantity of the work
26 done on behalf of the Aggrieved Employees; the financial and/or reputational risk undertaken in
27 bringing the PAGA action, and an acknowledgment of the benefits resulting from the
28 representative's actions.

DocuSigned by:
Cara Noone
4AFF974ACC8C45A

- 3 -

DECLARATION OF CARA NOONE IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT