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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 THOMAS  
HARDWICK 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, Thomas Hardwick, declare as follows:

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

6 2. I worked as an hourly-paid, non-exempt driver for Hoovestol, Inc. (“Hoovestol” or  
7 “Defendant”) from approximately November 2011 to March 2020.

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

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

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

1 and communicated with other employees regarding their experiences working with Defendant. In  
2 addition, I will also make myself available for any further proceedings in this matter as required  
3 to represent the interests of the Class. I also understand my duties and responsibilities to the  
4 proposed Class and will continue carry out those duties.

5 6. I routinely checked in with my attorneys and their staff to make sure that they had all my  
6 most current information and any additional information that I had obtained. I also routinely  
7 monitored the dockets to stay up to date on the latest developments in my cases. I made myself  
8 available to answer any questions my attorneys had about Defendant's practices and treatment of  
9 their employees whenever they needed me, including at the class certification, motion for  
10 summary judgment, and mediation stages. I responded to them as quickly as possible and gave  
11 them as much information as I could.

12 7. I reviewed the settlement agreement, discussed the settlement agreement with my  
13 attorneys, and asked them questions before signing it. Based on the information provided, I  
14 believe the settlement to be fair, adequate, and reasonable for myself and the entire Class and the  
15 Aggrieved Employees.

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

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

23 10. I understand that any resolution of this lawsuit on a class wide basis is subject to court  
24 approval, and any settlement must be designed in the best interest of the Class as a whole. At all  
25 times throughout the course of this litigation I have considered the interests of the Class and put  
26 them before my own personal interests.

27 11. I understand that, as part of the settlement, I will be asking the Court to approve a service  
28 payment for me as the Class Representative. I understand that any service payment is

1 discretionary and intended to compensate named plaintiffs for the quality and quantity of the  
2 work done on behalf of the class and other employees; the financial and/or reputational risk  
3 undertaken in bringing the class and/or PAGA action, and an acknowledgment of the benefits  
4 resulting from the representative's actions.

5 12. I believe my work in this matter is meritorious on these points for the reasons set  
6 forth above. Therefore, I request that the Court preliminarily approve a Class Representative  
7 Service Payment in the amount of \$15,000 for my efforts and very active participation in the case  
8 and for the broader, general release of all claims that I have or may have against Defendants in  
9 connection with the settlement.

10 I declare under penalty of perjury under the laws of the State of California that the  
11 foregoing is true and correct. Execute on March 21, 2024 in Fresno, California.

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Thomas Hardwick (Mar 21, 2024 19:27 PDT)

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