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Attorneys for Plaintiff and Proposed Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN MATEO

CHARLES WALTON, as an individual and on
 behalf of all others similarly situated, and as a
 private attorney general,

Plaintiff,

vs.

PRAXAIR DISTRIBUTION, INC., a Delaware
 corporation; and DOES 1 through 50, inclusive,

Defendants.

Case No. 20-CIV-03660

[Assigned for all purposes to Department 4,
 Hon. Nancy L. Fineman]

**DECLARATION OF CHARLES WALTON
 IN SUPPORT OF PLAINTIFF'S MOTION
 FOR ATTORNEYS' FEES, COSTS, AND
 CLASS REPRESENTATIVE SERVICE
 AWARD**

Date: April 22, 2022
 Time: 8:30 a.m.
 Department: 4

Complaint Filed: August 28, 2020

DECLARATION OF CHARLES WALTON

I, Charles Walton, declare as follows:

1. I am an individual over the age of 18. I am the named plaintiff in the above-reference action. I have personal knowledge of the facts set forth below, except as to those matters stated on information and belief and, as to those matters, I believe them to be true. If called as a witness, I could testify competently as to the matters stated in this declaration.

2. In August of 2018, I started working for Praxair Distribution, Inc. The wage statements that I was provided during my employment show the rate paid for overtime as either my base hourly rate of pay or half the base rate. They also do not show the total of the hours I worked. In August of 2020, my employment was terminated while I was on a paid leave.

3. I understand that this action was brought on behalf of other employees within the State of California and the State of California. I also understand I am acting as a representative for the Class and the State. As the class representative, I understand that it is my responsibility to act in the Class's best interest and not my own. I agree that I will not put my own interests ahead of that of the Class, and that I will not settle out my claims separately or independently from the Class.

4. I have taken all necessary steps to represent the interests of the Class. Throughout this case, I have been continuously apprised of the status of this case. I have been required to and have assisted my attorneys. I estimate that I have spent approximately 20 hours working with my attorneys to assist with the class claims, including time that I have spent providing information and documents to my counsel, meeting with them, reviewing documents upon their request, and generally making myself available to answer questions and discuss the claims.

5. I have and continue to be willing to assist in the investigation of this matter. I was also willing to answer any questions from the company's attorney, but my understanding is that the company did not request that opportunity. I reviewed document requests that my attorneys' served on the company and the company's responses to those requests. My understanding is that the company did not request any document from me. I also continue to be willing to make myself available for trial or any further proceeding as required to represent the interests of the Class. I understand my duties and responsibilities to the Class and will carry out those duties as necessary.

3 7. I have discussed the terms of the settlement with my attorneys, and based on the information
4 provided, I believe the settlement to be fair, adequate, and reasonable. I am proud of the result and
5 accomplishment of this lawsuit. I believe many employees would not sue their employer out of fear, but
6 I feel that it is a positive accomplishment and understand that other people will benefit because of the
7 actions that I have taken. I believe that the class settlement is fair, adequate, and reasonable.

8 I declare under penalty of perjury under the laws of the State of California that the foregoing is
9 true and correct. Executed this 18th day of February 2022, at San Francisco, California.

Charles Walton

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