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INTERNATIONAL E-Z UP INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF RIVERSIDE, RIVERSIDE COURT

JOSE SALDANA, individually, and on behalf
of other members of the general public
similarly situated,

Plaintiff,

vs.

INTERNATIONAL E-Z UP INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendant.

) Case No. RIC1902873

) Judge: Craig G. Riemer

) Dept: 01

) **DECLARATION OF KATIE MELZER IN**
) **SUPPORT OF PLAINTIFF'S MOTION**
) **FOR PRELIMINARY APPROVAL OF**
) **CLASS ACTION SETTLEMENT**

) Action Filed: May 10, 2019

DECL OF KATIE MELZER ISO PLAINTIFF'S
MTN FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT

DECLARATION OF KATIE MELZER

I, Katie Melzer, declare as follows:

1. I am currently employed by Defendant International E-Z Up Inc. (“E-Z Up” or “Defendant”) in the position of Chief Financial Officer, a position that I have held since November 2018. Prior to my position as Chief Financial Officer, I served as Controller for E-Z Up and have been employed at E-Z Up for the last six and a half years. In my capacity as Chief Financial Officer, I have oversight over E-Z Up’s Human Resources Department and, as such, I am familiar with and have access to the policies, procedures, and documentation maintained by the Human Resources Department in the ordinary course of E-Z Up’s business. I make this Declaration in support of Plaintiff Jose Saldana’s (“Plaintiff”) Motion for Preliminary Approval of Class Action Settlement and in accordance with the Case Management Order in the above-referenced action (“Action”). I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. For purposes of making this Declaration, I have reviewed documents maintained by E-Z Up’s Human Resources Department related to the putative class members in this Action, which documents were made in the regular course of E-Z Up’s business, at or near the time of the act or event recorded in the document, by persons with knowledge of those events, and are maintained in the regular course of E-Z Up’s business.

3. Based on my review of the putative class list in this Action and the parties’ settlement agreement, the putative class covers all hourly-paid or non-exempt employees who worked for E-Z Up in California at any time during the period of May 10, 2015 to May 8, 2020, and which includes approximately 280 putative class members. Based on my personal knowledge of E-Z Up’s business operations and review of documents maintained by E-Z Up’s Human Resources Department, the putative class members are or were employed in a variety of positions and across different departments, which include: (1) Administration, (2) Warehouse, (3) Production, and (4) Sales and Marketing.

4. Based on my review of documents maintained by E-Z Up’s Human Resources Department, the putative class members in this Action have an age range of approximately 18 to 74

1 years of age. Of the putative class members in this Action, the majority (approximately 180 of the
2 approximate 280 putative class members) fall within the age range of 25 to 50 years of age.

3 5. Based on my personal knowledge of E-Z Up's business operations, it is my
4 understanding that the Production department will conduct many of its meetings with the Production
5 department staff, including those in the putative class for this Action, in both English and Spanish.
6 It is my understanding, that certain Production department employees, who are included in the
7 putative class for this Action, speak and understand Spanish, but I do not have personal knowledge
8 as to whether these individuals only speak and understand Spanish. To my understanding, these
9 Production department meetings are not conducted in any other languages than English and Spanish.
10 Other than the Production department, the other three departments referenced above consistently
11 conduct meetings and business operations using English only. Of the approximate 280 putative class
12 members in this Action, the Production department employees account for approximately 25% of the
13 total putative class.

14 6. Based on my personal knowledge of E-Z Up's business operations and my review of
15 documents maintained by E-Z Up's Human Resources Department, the putative class members are
16 or were employed in a variety of positions and across the four different departments. As such, the
17 positions in each department range in both experience and educational requirements needed for the
18 specific position and department. In the Administration department, positions range from entry level
19 to supervisor. Entry level positions may require some administrative experience (approximately 1
20 year) and supervisor positions may require at least 3 years' experience plus some level of higher
21 education, including college-level course work or a college-level degree. In the Warehouse
22 department, positions range from entry level with no experience or specific educational requirements
23 to the Lead position where multiple years of experience is required. There are no specific educational
24 requirements for the hourly, non-exempt employees in the Warehouse department. In the Production
25 department, positions are mostly skilled labor that require working knowledge of a specific task (e.g.,
26 sewing, use of specific machinery, etc.). The requirements are typically knowledge or experience
27 related, however there are some artists in this department that likely have completed trade school
28 training and certification. Finally, in the Sales and Marketing department, positions range from entry

1 level to supervisor and then to account manager. Entry level positions may require some customer
2 service experience (approximately 1 year), supervisor positions may require at least 3 years'
3 experience plus some level of college or higher level educational requirements, and account
4 managers will require a more targeted experience requirement for a longer number of years than
5 supervisors. Within the putative class list for this Action, the breakdown amongst the four
6 departments is approximately the following: (1) Administration 20%, (2) Warehouse 25%, (3)
7 Production 25%, and (4) Sales and Marketing 30%.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct. Executed on this 23rd day of April, 2021, at Norco,
10 California.

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Katie Melzer