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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF MERCED**

JASON ADAMS, RAUL ALVARADO, EMMA
SARWAR, SERGIO RODRIGUEZ, and
SHENITA TATUM, as private attorneys general
and as an individual and on behalf of all others
similarly situated,

Plaintiffs,

vs.

SCHOLLE IPN PACKAGING, INC., a Nevada
corporation; SCHOLLE PACKAGING, INC., a
Nevada corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 20CV-02350

**DECLARATION OF SERGIO RODRIGUEZ
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: January 9, 2025
Time: 8:15 a.m.
Department: 8

Complaint Filed: August 17, 2020
FAC Filed: August 30, 2024

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Attorneys for Plaintiff Adams and Tatum

1 I, Sergio Rodriguez, declare as follows:

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

6 2. In approximately March 2008, I started working for Scholle IPN Packaging, Inc. as an
7 Extrusion Technician. Throughout my employment, I was paid on an hourly basis as a non-exempt
8 employee. During my employment, the company failed to correctly calculate my regular rate of pay for
9 purposes of paying overtime when I earned overtime and non-discretionary compensation in the same
10 workweek. Specifically, the company failed to include all non-discretionary compensation, including
11 without limitation, "incentive" wages, when calculating the regular rate of pay for overtime purposes.
12 As a result, the company failed to timely pay me all due wages or to timely pay all due wages upon
13 separation of employment. As an additional result, the company failed to provide accurate, itemized
14 wage statements to me with respect to overtime wage rates, gross wages earned, or net wages earned.
15 The company independently failed to provide accurate, itemized wage statements to me when I was paid
16 either overtime or shift premium wages by providing me with wage statements that did not identify the
17 overtime rate as 1.5 times the regular rate of pay, the total hours worked, or the applicable rate of pay
18 and applicable hours worked used to calculate shift premiums (such as Shift Premium and Shift Prem
19 OT wages). The company also consistently failed to provide accurate, itemized wage statements
20 identifying the name of my employer, as my wage statements named "Scholle Packaging, Inc.," even
21 though no such entity exists on the California Secretary of State's website.

22 3. During the pendency of this lawsuit, I have done my best to represent the interests of the
23 employees that are part of the class. I have actively contributed to the litigation of this case. My
24 contributions include but are not limited to (i) participating in numerous telephonic meetings with my
25 attorneys and their staff to discuss the case and review documents prepared on my behalf, (ii) providing
26 my attorneys with information and documents regarding my employment with the company, (iii)
27 searching for additional information and documents requested by my attorneys, (iv) reviewing and
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1 approving the complaint and other papers filed with the court, (v) reviewing documents and information
2 my attorneys were provided by the company or its attorneys, (vi) being available for a mediation,
3 (vii) reviewing and executing the settlement agreement, and (viii) reviewing and signing the declarations
4 submitted to this Court in support of the settlement.

5 4. I have taken all necessary steps to represent the interests of the Class, including by
6 providing information and documents to my counsel, discussing the claims and lawsuit with my counsel,
7 and answering any questions that have come up. I remain willing to devote my time to this lawsuit for
8 the benefit of the Class. I do not believe I have any interests that are adverse to the interests of the Class.
9 I also am unaware of any such issues having been raised or presented by anyone else.

10 5. I believe many employees would not sue their employer out of fear. I took on risks by
11 bringing this lawsuit, and I understand that other people will benefit because of the actions that I have
12 taken. I feel that it is a positive accomplishment, am proud of the result, and based on the time I spent
13 considering the settlement and my understanding of its terms, I believe that the class settlement is fair,
14 adequate, and reasonable.

15 I declare under penalty of perjury under the laws of the State of California that the foregoing is
16 true and correct. Executed this ^{11/26/2024} ___ day of November 2024, at Merced, California.

17 Electronically Signed  2024-11-27 00:33:53 UTC - 68.270.122
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