

Larry W. Lee (State Bar No. 228175)
Mai Tulyathan (State Bar No. 316704)
DIVERSITY LAW GROUP, P.C.
515 S. Figueroa Street, Suite 1250
Los Angeles, CA 90071
(213) 488-6555
(213) 488-6554 facsimile

William L. Marder (State Bar No. 170131)
Polaris Law Group
501 San Benito Street, Suite 200
Hollister, CA 95023
(831) 531-4214
(831) 634-0333 facsimile

Attorneys for Plaintiff, the Class, and Aggrieved Employees

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

MARTIN MORENO, as an individual and
on behalf of all others similarly situated,

Plaintiffs,

vs.

MEDLINE INDUSTRIES, L.P., an Illinois
corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No.: STK-CV-UOE-2020-7446

(Assigned to the Hon. Erin Guy Castillo, Dept.
10B)

**DECLARATION OF MARTIN MORENO IN
SUPPORT OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: TBD

Time: 9:00 a.m.

Dept.: 10B

Complaint Filed: September 8, 2020

FAC Filed: January 14, 2022

Trial: Not Set

DECLARATION OF MARTIN MORENO

I, Martin Moreno, declare as follows:

1. I am an individual over the age of 18 years old and am a resident of California. I am the named Plaintiff in this matter. I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I worked for Defendant Medline Industries, L.P. ("Defendant") as a Warehouse Operator from on or about January 16, 2020, to on or about July 27, 2020. During my employment with Defendant, I worked as an hourly-paid, non-exempt employee.

3. Throughout my employment, I regularly worked overtime and was paid overtime wages. However, whenever overtime wages were paid to me, I did not receive accurate wage statements. In this regard, the wage statements did not identify the correct overtime rate of pay and total hours worked.

4. Throughout my employment, I was also regularly paid shift differential wages. However, whenever shift differential wages were paid to me, I did not receive accurate wage statements. In this regard, the wage statements identified the incorrect total hours worked.

5. Throughout the pendency of this lawsuit, I have assisted my attorneys in the prosecution of this lawsuit. This included discussing the lawsuit with my attorneys on numerous occasions, searching for and providing my attorneys with documents and information, reviewing the pleadings and documents in this case, including the PAGA letters, my declaration, and the Settlement Agreement.

6. I understand that the class claims alleged in this action were brought on behalf of other similarly situated employees, and thus I am acting as a representative for the Class. As the class representative, I understand that it is my responsibility to act in the Class's best interests and not my own. I agree that I will not put my own interests ahead of that of the Class. Moreover, I am not aware of any conflicts that exist between my interest and the interests of the Class that would impair or affect my ability to serve as representative for the Class.

7. I have and continue to be willing to assist in the investigation of this matter, as well as make myself available for deposition and trial or any further proceeding in this matter as

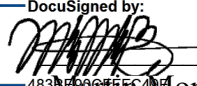
1 required to represent the interests of the Class. I also understand my duties and responsibilities to
2 the Class and will carry out those duties as necessary.

3 8. Throughout this case, I have continuously been kept apprised of the status of this
4 case.

5 9. Based on my understanding of the case, I am of the opinion that settlement for the
6 consideration and on the terms set forth in the Settlement Agreement are fair, reasonable, and
7 adequate and is in the best interests of the Class.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct.

10 Executed on this 5th day of April 2022, at Modesto, California.

11 DocuSigned by:
12 
13 Martin Moreno
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28