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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

ROBERT THREADGILL, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

DECKER TRUCK LINE, INC., a Iowa
Corporation; and DOES 1 through 20,
inclusive;

Defendants.

Case No.: CIVDS2018856
*[Assigned to Hon. Judge David Cohn, Dept
S26, for all purposes]*

**DECLARATION OF PLAINTIFF
ROBERT THREADGILL IN SUPPORT
OF MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

Complaint filed: August 6, 2020

I, Robert Threadgill, state and declare:

1. I am the Plaintiff in the above captioned action and have personal knowledge of all matters stated herein and can competently testify thereto. I make this declaration in support of the motion for final approval of the class action settlement. I believe that the settlement is fair and reasonable and constitutes a fair resolution of the claims alleged.

2. During my employment with Decker, I was bothered by their per-mile pay policy and started researching whether that practice violated California law. I then contacted my attorneys, Lauby, Mankin & Lauby LLP. But, even after discussing these issues, I was unsure if I wanted to bring a lawsuit because of the risk of stepping forward as a whistle blower, since this

1 could jeopardize my livelihood in the industry and make it difficult to find future jobs.
2 Nevertheless, because I did not think that I or the other employees were being treated correctly, I
3 retained Lauby, Mankin & Lauby LLP to move forward with a case.

4 3. I then retained my attorneys and understood that I had two options: (1) I could
5 bring a class action to help all of the employees, but I would have to put their interests ahead of
6 my own, or (2) I could bring my individual case and claims and attempt to maximize my
7 individual recovery. This decision was very difficult because I wanted to maximize my
8 individual recovery, but I also wanted to help everyone else that was wronged by the company.
9 And, if I brought this as a class action, I was worried that I might get labeled as a whistleblower,
10 which might make it hard to find a job in the future (which can be a major problem in the
11 trucking industry). In the end, I decided that – despite the risks – it was important to bring these
12 claims as a class action to hold the company accountable for how they treated their employees.

13 4. I respectfully request that the Court approve the agreed-upon service award for
14 the following reasons.

15 5. First, I have spent substantial time working on this case – at least 80 hours
16 engaged in activities to benefit the class. I have been an active participant in this litigation,
17 including assisting my attorneys in various ways and making myself available when needed. For
18 example, I assisted my attorneys in various ways (including filing a declaration and working
19 behind the scenes) when Decker tried to get the case dismissed via the Motion to Quash, when
20 the company argued California law should not apply. Thankfully, that argument failed, and the
21 case moved forward. But I then had to help my attorneys prepare for and defeat Decker's motion
22 for summary judgment in several ways including, again, filing a declaration and working to
23 gather information regarding the pay practices and other issues that violated California law.

24 6. Second, I respectfully request that the Court approve the agreed-upon service
25 award because I agreed to set aside my personal interests and to put the interests of the class
26 ahead or on par with my own. In fact, as a condition of this class action settlement, I was
27 required to release n and waive all possible individual claims against the company – something
28 that none of the other class members were required to give up.

7. Third, by bringing this case as a class action, I undertook significant risks and stresses at a high emotional cost without any guarantee of success. For example, filing this lawsuit and being a whistle blower was stressful on a day-to-day basis as I have constantly worried about the risk that this case could impact my ability to find future jobs. And this stress/risk lasted for the entire case, and I'm worried it may make it hard to find a job in the future since the case information is all available online.

8. Fourth, and finally, bringing this case also came with a major financial risk because, if I lost the case, I would be required to pay the company's costs, which could be over \$10,000, and there was a chance they could try to make me pay their attorneys' fees as well.

9. Therefore, I respectfully request that the Court award the full \$10,000 service award since that amount is justified based on facts outlined above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on June 6, 2023, at Modesto, California.

By: 
Robert Dee Threadgill (Jun 7, 2023 08:46 PDT)
Robert Threadgill