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

JAMES PEVEY, as an individual and on
 behalf of all others similarly situated,

Plaintiffs,

vs.

LUMBER CITY CORP., a California
 corporation d/b/a DIY HOME CENTER;
 and DOES 1 through 50, inclusive,

Defendants.

Case No.: CIVDS2010240

[Assigned for all purposes to the Hon. David
 Cohn, Dept. S-26]

**DECLARATION OF JAMES PEVEY IN
 SUPPORT OF PLAINTIFFS' MOTION FOR
 FINAL APPROVAL OF CLASS ACTION
 SETTLEMENT**

Date: May 2, 2022
 Time: 10:00 a.m.
 Dept.: S-26

Complaint Filed: June 2, 2020
 FAC Filed: January 29, 2021
 SAC Filed: July 23, 2021
 Trial Date: Not Set

DECLARATION OF JAMES PEVEY

I, James Pevey, 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 and if called to testify I could and would do so competently.

2. I was employed by Defendant Lumber City Corp. ("Lumber City") as a salesperson from about April 2019, until about May 2020. I worked as an hourly, non-exempt employee.

3. During my employment, the wage statements issued to me by Lumber City did not identify the applicable rates of pay for all hours worked, pay period start and end dates, and accurate gross and net wages earned. In addition, throughout my employment, I was not allowed to leave the work premises during rest breaks and was not provided complete, off-duty meal breaks due to Lumber City's practice of rounding time.

4. I understand that this action was brought on behalf of all other employees in the State of California, and that I am acting as a representative for the Class. As a Class Representative, I understand that it is my responsibility to act in the best interests of the Class 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 interests and the interests of the Class that would impair or affect my ability to serve as representative for the Class.

5. I have and continue to be willing to assist in the investigation of this matter, including meeting and discussing the case with my attorneys, providing any necessary information and documents, making myself available for trial or any further proceedings in this matter as required to represent the interests of the Class. I also understand my duties and responsibilities to the proposed Class and will carry out those duties as necessary.

6. I have discussed the terms of the settlement with my attorneys, and based on the information provided, I believe the settlement to be fair, adequate, and reasonable for myself and for the entire Class.

7. Prior to and subsequent to the filing of the lawsuit against Defendant, I regularly

9. I feel that I took upon myself the risk of this lawsuit and achieved a result for my other former co-workers who did not have to file suit.

Executed on this 04 day of April 2022, at Big bear city, California.

**DECLARATION OF JAMES PEVEY IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**