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Attorneys for Defendant,
QUALITY CAR SHIPPERS, LLC

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

KENNETH KERNITZKI, individually, and
on behalf of all others similarly situated,

Plaintiff,

v.

QUALITY CAR SHIPPERS, LLC, a
California Limited Liability Company, and
DOES 1 through 50, inclusive,

Defendants.

) Case No. CVRI 2100564
) Honorable Harold Hopp
) Dept. 10

) **DECLARATION OF DEFENSE**
) **COUNSEL VICTOR J. COSENTINO IN**
) **SUPPORT OF PRELIMINARY**
) **APPROVAL**

) Complaint Filed: 2/5/2021
) Trial Date: None Set

DECLARATION OF DEFENSE COUNSEL VICTOR J. COSENTINO IN
SUPPORT OF PRELIMINARY APPROVAL

I, Victor J. Cosentino, do hereby declare as follows:

1. I am an attorney, duly licensed to practice law in all the courts of the State of California, and a partner in the law firm of Larson & Gaston, LLP, attorneys of record for Defendant Quality Car Shippers, LLC in the matter *Kernitzki v. Quality Car Shippers, LLC*, initiated on February 5, 2021, and pending in Superior Court of the State of California, County of Riverside, Case No. CVRI2100564. As such, I have personal knowledge of the files and pleadings in this matter, as well as the facts stated below. If called upon as a witness, I could and would competently testify as follows.

2. Section 6.1 of the Settlement Agreement between the parties states:

Defendant's Declaration in Support of Preliminary Approval. Within 7 days of the full execution of this Agreement, Defendant will prepare and deliver to Class Counsel a signed Declaration from Defendant and Defense Counsel disclosing all facts relevant to any actual or potential conflicts of interest with the Administrator and Cy Pres Recipients. In their Declarations, Defense Counsel and Defendant shall aver that they are not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by the Settlement.

3. I have conferred with Defendant and can represent to the Court that:

- a. Defendant and Defense Counsel are not aware of any actual or potential conflicts of interest with the Administrator, Simpluris.
- b. Defendant and Defense Counsel are not aware of any actual or potential conflicts of interest with the Cy Pres Recipients, St. Christopher Truckers Development & Fund Inc., and Public Citizen Foundation.
- c. Defendant and Defense Counsel are not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by the Settlement.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of February 2023, at Pasadena, California.

By 
Victor J. Cosentino, Esq.,
Declarant