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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

DANIELA GARIBAY, individually, and on
behalf of other members of the general public
similarly situated,

Plaintiff,

vs.

PACIFIC STEEL GROUP, a California
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No. CIVDS2011129

Assigned to the Hon. Christian Towns

**DECLARATION OF DANIELA GARIBAY IN
SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Date: April 22, 2025

Time: 8:30 a.m.

Place: Department S26

Complaint Filed: May 29, 2020

Trial Date: None Set

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DECLARATION OF DANIELA GARIBAY

I, Daniela Garibay, hereby declare as follows:

1. I am over eighteen years old. Unless the context indicates otherwise, I have personal knowledge of the following facts, and if called as a witness, I could and would testify competently to them. I am the named plaintiff in the above-captioned action, and a representative for the Settlement Class. I make this declaration in support of the Motion for Final Approval of Class Action and PAGA Settlement.

2. I was employed by Defendant Pacific Steel Group (“Defendant”) as an hourly paid, non-exempt Data Entry Employee from approximately April 2019 to January 2020. My primary job duties included performing administrative computer functions, compiling data, and filing information packets. I decided to file this lawsuit because I had a number of grievances against Defendant stemming from their labor policies. These grievances are set forth in detail in the operative Complaint and my letter to California Labor and Workforce Development Agency (“LWDA”).

3. Prior to filing the action, my attorneys and I had multiple conferences about the factual bases for the claims that I wanted to pursue against Defendant.¹ During those conferences, my attorneys provided me with an overview of how those claims would be litigated, and generally educated me about the nature of complex/representative litigation and my role as the representative Plaintiff.

4. After retaining my attorneys, I spent considerable time on the phone discussing the facts of my case with my attorneys. I discussed the facts related to my employment with Defendant, including discussing my job duties and responsibilities, my job position, the hours and days I worked, and how I was compensated.

5. My attorneys provided me with a draft of the Complaint for my review and approval. I closely reviewed the Complaint to ensure accuracy and completeness. Following the filing of the Complaint, I collaborated with my attorneys on the prosecution of my claims, and I regularly contacted my attorneys to stay current on the status of the litigation, and to discuss my attorneys’ progress in

¹ Although the preservation of my attorney-client privilege requires that I refrain from revealing the specifics of my communications with my attorneys, I understand that the privilege is not waived by stating generally the matters that I have discussed with my attorneys.

prosecuting the claims.

6. I have worked to the best of my ability to prosecute this action on behalf of the entire class, always considering the interests of the class members just as I would consider my own interests. I believe class actions are an important tool to assure compliance with the law even where an individual's losses may be relatively small. I have no interests which are inconsistent with the interests of the class.

7. When I agreed to represent other non-exempt employees performing duties for Defendant in the State of California, I understood it was my duty to be readily available and to participate actively in this case. I knew that I would be required to review documents, search for documents and produce them to my attorneys, answer written questions, potentially answer oral questions and testify truthfully under oath, and be available to appear in court, if necessary.

8. I understood that I needed to maintain awareness of the status and progress of the lawsuit.

9. Since initiating this lawsuit until now, I have kept aware of the status of the lawsuit and provided my attorneys with information used by them in the litigation. I have spent large amounts of time and effort pursuing my claims and the claims of the other employees from the time I retained my attorneys to the present date.

10. I have carefully reviewed the terms of the proposed settlement. My attorneys explained the specifics of how the settlement would work and I accepted the settlement only after I had spent time evaluating the proposed outcome to assure that it was fair. Based on my attorneys' evaluation and recommendation, and my own review, I believe the settlement is fair and reasonable and adequately compensates Class Members.

11. In summary, over the course of this litigation I have spent a significant amount of time conferring and working with my attorneys on the prosecution of my claims and evaluating the settlement and related documents. I estimate that I have spent between 40 and 50 hours assisting my attorneys in the prosecution of this lawsuit.

12. Throughout this case, I have not sought individual benefits from the lawsuit. Rather, I maintained this lawsuit because I wanted to hold Defendant accountable for their unlawful conduct. I believe that I have fulfilled my responsibilities, and I will continue to fulfill those responsibilities, to the

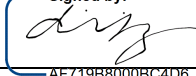
best of my ability, until the conclusion of the case.

13. I am committed to this case and will continue to make myself available as needed in the settlement process.

14. I have provided informed written consented to the division of attorneys' fees in this action between Plaintiffs' Counsel as follows: (a) 33⅓% to Diversity Law Group, P.C., Polaris Law Group, LLC, Hyun Legal, APC, and Law Offices of Choi & Associates; (b) 33⅓% Capstone Law APC; and (c) 33⅓% Lawyers for Justice, PC.

15. The Parties have designated The Justice Gap Fund ("JGF") maintained by The State Bar of California as the settlement's cy pres beneficiary of unclaimed settlement residuals. I do not have a connection to, or a relationship with, JGF that could reasonably create the appearance of impropriety between the selection of JGF as the recipient of the unclaimed residuals and the interests of the class.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on [Date] 3/27/2025, at [City] Grand Terrace, California.

Signed by:

 AF719B8000BC4D6...
 Daniela Garibay

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☐ **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s) for mailing in the ordinary course of business at Los Angeles, California. I am “readily familiar” with this firm’s practice of collection and processing correspondence for mailing. Under that practice, sealed envelopes are deposited with the U.S. Postal Service that same day in the ordinary course of business with postage thereon fully prepaid at Los Angeles, California.

☒ **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

☐ **BY PERSONAL SERVICE:** I delivered the document, enclosed in a sealed envelope, by hand to the offices of the addressee(s) named herein.

☐ **BY ELECTRONIC SERVICE:** I caused the document(s) to be transmitted electronically via One Legal eService to the individuals listed above, as they exist on that database. This will constitute service of the document(s).

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

Executed this **March 28, 2025**, at Los Angeles, California.

Stacy Winberg
Type or Print Name

/s/ *Stacy Winberg*
Signature