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Attorneys for Plaintiff,
YANNET JIMENEZ on behalf of herself and all similarly situated employees

SUPERIOR COURT OF CALIFORNIA

COUNTY OF MONTEREY

YANNET JIMENEZ on behalf of herself
and all similarly situated employees,

v.

SAMBRAILO PACKAGING; and DOES 1
through 50, inclusive,

Defendants.

Case No. 20CV003281

**DECLARATION OF B. JAMES
FITZPATRICK IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: June 30, 2023

Time: 8:30 a.m.

Dept: 15

Complaint Filed: December 7, 2020

FAC Filed: April 18, 2023

Trial Date: Not Set

1 I, B. James Fitzpatrick, hereby declare and state as follows:

2 1. I am an attorney duly admitted to practice in the State of California and am a
3 partner in the law firm of Fitzpatrick & Swanston, counsel of record for Plaintiff Yannet
4 Jimenez ("Plaintiff"). I have personal knowledge of the facts set forth below and if called to
5 testify I could and would do so competently.

6 2. Based on their own independent investigation and evaluation, the Parties and
7 their respective counsel are of the opinion that settlement for the consideration and on the
8 terms set forth in the Joint Stipulation of Class Action Settlement ("Settlement Agreement") is
9 fair, reasonable, and adequate and is in the best interests of the Class and Defendant in light of
10 all known facts and circumstances and the expenses and risks inherent in litigation.

11 3. I have spent significant time researching and pursuing the claims that have been
12 alleged in this action. From the inception of the case, Class Counsel have zealously
13 represented the interests of the Class. Class Counsel have engaged in significant meet and
14 confer discussions with opposing counsel to obtain informal data and documents and to
15 discuss the merits of the claims on behalf of the Class. This settlement was obtained for the
16 benefit of the Class, as opposed to the individual Class Representative. Based on my review of
17 all the documents and information, and based on my experience in class action litigation, I
18 believe this settlement to be fair, adequate, and reasonable.

19 4. I am one of the primary attorneys on this matter. My qualifications are as
20 follows: I received my bachelor's degree from the University of California, Santa Barbara and
21 my Juris Doctor degree from the University of Santa Clara School of Law. I have practiced
22 law since 1987. The primary emphasis of my practice is employment litigation. I have
23 represented both employers and employees. Approximately 15 years ago my office
24 commenced handling plaintiff class action wage and hour cases. Since then, my office has
25 handled hundreds of wage and hour cases to conclusion and has been class counsel and/or co-
26 counsel in over 100 class actions.

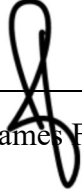
27 5. Currently, we have multiple ongoing wage and hour class actions in Alameda
28 County Superior Court, Monterey County Superior Court, Nevada County Superior Court,

1 Santa Clara Superior Court, San Benito Superior Court, Santa Cruz Superior Court, Ventura
2 County Superior Court, and the United States District Court, Northern District of California,
3 where we will seek class certification by way of a settlement or a class certification motion.

4 6. I do not have a relationship with the proposed *cy pres* beneficiary, Watsonville
5 Law Center, nor am I aware of any relationship between Class Counsel and the Watsonville
6 Law Center.

7 7. My co-counsel and I will adequately represent the Class Members in this
8 action. Class Counsel have and will zealously represent Plaintiff and the Class and pursue this
9 lawsuit to its conclusion. I have no conflicts with the Class and will adequately represent the
10 Class.

11 I declare under penalty of perjury under the laws of the State of California that the
12 foregoing is true and correct and if called as a witness I could and would competently testify to
13 each of the matters stated herein, and I state that these matters are based upon my own
14 personal knowledge acquired through first-hand observation, except where stated otherwise.
15 This declaration was executed by me on June 7, 2023, in Salinas, California.

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19 B. James Fitzpatrick
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