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17 Attorneys for Plaintiff,
18 EDWARD GNAT, on behalf of himself and all similarly aggrieved employees

19 **SUPERIOR COURT OF CALIFORNIA**

20 **COUNTY OF MONTEREY**

21 EDWARD GNAT, on behalf of himself and
22 all similarly aggrieved employees,

23 Plaintiff,

24 v.

25 QUINN COMPANY; and DOES 1 through
26 50, inclusive,

27 Defendants.

Case No. 20CV003431

**DECLARATION OF EDWARD GNAT IN
SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: July 12, 2024

Time: 8:30 a.m.

Dept.: 15

Action Filed: December 21, 2020

Trial Date: Not Set

DECLARATION OF EDWARD GNAT

I, Edward Gnat, declare as follows:

1. I am an individual over the age of 18 years old and am a resident of California. I am the named Plaintiff in this matter. 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 hired by Defendant Quinn Company ("Defendant") in about July 2001. I have worked for Defendant for over 20 years as a Master Technician at Defendant's service center in Salinas, California.

3. During my employment, I regularly earned non-discretionary incentive wages, such as lump sum and hourly incentive wages. During periods when I earned non-discretionary incentive pay and received sick pay, Defendant failed to correctly calculate the regular rate of pay, based on the average of all rates of pay I received during that same pay period. As a result, I was paid at an improper, lower rate of pay and did not receive all sick pay owed to me.

4. In addition, Defendant regularly failed to provide me with proper, uninterrupted lunch breaks within the first five hours of my shift. I did not receive premium compensation for missed, late, or interrupted lunch breaks.

5. Defendant required me and other employees to keep our personal cell phones on our person at all times and respond to work-related calls and text messages, even when off-the-clock. I was not paid for time spent working off-the-clock. Because I had to remain on call via my cell phone during rest breaks, I did not receive off-duty rest breaks.

6. As a result of the above, the wage statements I received were incorrect.

7. During the pendency of this lawsuit, I was required to provide assistance to my attorneys, including discussing the case with them on numerous occasions and providing them with documents and information. I have spent a significant amount of time in connection with the assistance/prosecution of the claims in this lawsuit. I estimate that I spent approximately 25-30 hours in connection with the assistance/prosecution of the claims in this lawsuit. This includes engaging in numerous telephonic discussions with my counsel regarding the case,

1 searching for and providing various documents relating to my claims, reviewing various files
2 and pleadings in this case, including discovery responses and the Stipulation of Settlement.
3 Throughout this case, I have continuously been kept apprised of the status of this case.

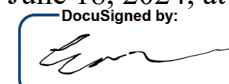
4 8. I understand that this action was brought on behalf of all other non-exempt
5 employees in the State of California, and that I am acting as a representative for the Settlement
6 Class. As a class representative, I understand that it is my responsibility to act in the best
7 interest of the Settlement Class. I am not aware of any conflicts that exist between my interests
8 and the interests of the Settlement Class that would impair or affect my ability to serve as
9 representative for the Settlement Class.

10 9. I have and continue to be willing to assist in the investigation of this matter as
11 well as make myself available for trial or any further proceedings in this matter as required to
12 represent the interests of the Settlement Class. I also understand my duties and responsibilities
13 to the proposed Settlement Class and will carry out those duties as necessary.

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

17 11. I understand that I could have been liable for Defendant's legal costs had
18 Defendant prevailed. I also understand that this lawsuit was filed in the public court records.

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct. Executed on June 18, 2024, at Salinas, California.

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