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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA CLARA

JORDAN MCDONALD, as an individual and on
behalf of all others similarly situated, and as a
private attorney general,

Plaintiffs,

vs.

HCL AMERICA, INC., a California corporation;
and DOES 1 through 50, inclusive,

Defendants.

Case No. 20CV371353

[Hon. Sunil R. Kulkarni, Department 1]

**DECLARATION OF JORDAN MCDONALD
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: January 19, 2023
Time: 1:30 p.m.
Department: 1

Complaint Filed: October 7, 2020

1 I, Jordan McDonald, declare as follows:

2 1. I am an individual over the age of 18. I am the named plaintiff in the above-reference
3 action. I have personal knowledge of the facts set forth below, except as to those matters stated on
4 information and belief and, as to those matters, I believe them to be true. If called as a witness, I could
5 testify competently as to the matters stated in this declaration.

6 2. In around October of 2018, I began working for HCL America, Inc. I was employed as an
7 IT Analyst as a non-exempt employee. Throughout my employment, I was provided with wage
8 statements that showed "86.67" hours, regardless of how many hours I actually worked. The wage
9 statements also showed my gross wages earned, without any hourly rates or corresponding number of
10 hours worked at the rates. Moreover, when my employment was terminated on September 24, 2020, the
11 company did not pay me my final wages immediately upon, or within three days of, the termination of
12 my employment. Instead, the company purported to pay me my final wages on September 29, 2020.

13 3. I have taken all necessary steps to represent the interests of the Class, including by
14 providing information and documents to my counsel, discussing the claims and lawsuit with my counsel,
15 and answering any questions that have come up, including about how I was paid or what my wage
16 statements show or meant. I understand that I am responsible to the Class with respect to trying the case,
17 appearing in court, and working with Class Counsel. I am willing to act as a fiduciary for the Class. I
18 remain willing to devote my time to this lawsuit for the benefit of the Class. I do not believe I have any
19 interests that are adverse to the interests of the Class. I also am unaware of any such issues having been
20 raised or presented by anyone else.

21 4. I believe many employees would not sue their employer out of fear. I took on risks by
22 bringing this lawsuit, and I understand that other people will benefit because of the actions that I have
23 taken. I feel that it is a positive accomplishment, am proud of the result, and believe that the class
24 settlement is fair, adequate, and reasonable.

25 I declare under penalty of perjury under the laws of the State of California that the foregoing is
26 true and correct. Executed this 14th day of December 2022, at Escondido, California.

27 DocuSigned by:

28  Jordan McDonald

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