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Attorneys for Plaintiffs, individually,
and on behalf of all others similarly situated.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF KERN

DIANA FOY; RAYMOND YBARRA; and
RAYMOND HARRIS; individually and on
behalf of all others similarly situated,

Plaintiffs,

vs.

EXEL INC., dba DHL SUPPLY CHAIN; and
DOES 1 through 20, inclusive,

Defendants.

Case No.: BCV-20-102463

*[Case assigned for all purposes to the Hon.
Bernard C. Barmann, Jr., Dept. 10]*

**DECLARATION OF PLAINTIFF
RAYMOND HARRIS IN SUPPORT OF
PLAINTIFFS' MOTION FOR
SETTLEMENT APPROVAL OF CLAIMS
BROUGHT UNDER THE PRIVATE
ATTORNEYS GENERAL ACT,
REASONABLE ATTORNEYS' FEES
AND COSTS, AND ENHANCEMENT
AWARDS**

Date: March 24, 2022
Time: 8:30 a.m.
Dept: 10

Action Filed: October 21, 2020
Trial Date: None Set

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I, Raymond Harris, declare as follows:

1. I am an individual over the age of 18 and one of the named plaintiffs in this matter.

This declaration is submitted in support of approval of the proposed Private Attorneys General Act (“PAGA”) settlement (“Settlement”) reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

2. On February 25, 2019, I began my employment with Defendant Exel, Inc. dba DHL Supply Chain (“Defendant”), in the non-exempt position of driver. Throughout my employment with Defendant, my primary job duties consisted of loading, transporting, and delivering tires to various vendors. On November 11, 2021, I separated my employment from Defendant.

3. During my employment with Defendant, I was paid on a piece-rate basis based on the number of miles I drove, the number of deliveries I completed, and the number of tires I delivered. Defendant always paid me the assigned piece-rate value for each of these tasks, regardless of the amount of time it actually took me to perform each task. Although for a period of time I did receive some separate compensation for the rest periods I took, I was not paid at the correct rate of pay for those rest periods. Because of this, I do not believe Defendant paid me the correct wages I was owed for all hours that I worked. Also, the wage statements that I received from Defendant did not list the number of piece-rate units I earned in each pay period, the applicable piece rates associated with those units, or the number of hours I worked each pay period.

4. On November 6, 2020, I filed a class-action lawsuit in Riverside County Superior Court against Defendant, entitled *Raymond Harris v. Exel, Inc., dba DHL Supply Chain (USA)*, Case No. CVRI2000034 (the “Riverside County Action”). I later learned that Diana Foy had filed this action shortly before I filed the Riverside County Action, which asserts overlapping claims against Defendant. As part of the global settlement that was reached here, I agreed to dismiss the Riverside County Action without prejudice and join this lawsuit as a named plaintiff.

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5. When I first filed the Riverside County Action, I understood that it had the chance to benefit Defendant's other workers by helping them recover penalties owed to them. I knew there were risks associated with filing a lawsuit, including that it would be a public record, but I accepted the risks and burden of proceeding with a lawsuit for the benefit of Defendant's other workers because I wanted Defendant to be held accountable for violating the law.

6. I feel that the other named plaintiffs and I have taken on a greater burden than any of the other employees because we have been actively involved in the litigation, and because it is our names that are attached to the lawsuit. Through my efforts, Defendant has agreed to a settlement that will benefit its current and former employees and the State of California, and I believe that I should be compensated for carrying the burden of this litigation for the benefit of the other employees.

7. I have been actively involved in this case since before I first filed the Riverside County Action. Among other things, I searched for and gathered relevant documents and provided them to my attorneys, engaged in multiple discussions with my attorneys regarding Defendant's policies and practices, had regular discussions with my attorneys over the phone regarding the claims in the lawsuit and the facts and legal theories at issue in the case, discussed the status of the case and general case strategy with my attorneys on many occasions, and helped my attorneys prepare for mediation. I estimate that I have spent at least 30 hours in total on these activities.

I declare under penalty of perjury under the laws of the state of California and the United States that the foregoing is true and correct. Executed on Feb 15, 2022 in Landers, California.


Raymond H Harris Jr (Feb 15, 2022 18:29 PST)

Raymond Harris