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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

CELIA STEWART, as an individual and on behalf
 of all others similarly situated, and as a private
 attorney general;

Plaintiff,

vs.

RITCHIE BROS AUCTIONEERS (AMERICA)
 INC., a Washington corporation; RITCHIE BROS
 AUCTIONEERS INC., a Washington corporation
 upon information and belief, and DOES 1 through
 50, inclusive,

Defendants.

Case No. RG21086650

[Hon. Evelio Grillo, Department 21]

**DECLARATION OF CELIA STEWART IN
 SUPPORT OF PLAINTIFF'S MOTION FOR
 FINAL APPROVAL OF CLASS ACTION
 SETTLEMENT**

Date: March 1, 2023
 Time: 10:00 a.m.
 Department: 21

Reservation ID: 179371674381

Complaint Filed: January 25, 2021

1 I, Celia Stewart, 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 or about August 2016 I began working for Ritchie Bros. Auctioneers (America) Inc.
7 and worked in California for 30 or more days within a year. Until my employment as a title coordinator
8 ended in or about December of 2020, I was paid on an hourly basis as a non-exempt employee and also
9 earned profit-sharing pay. I am informed and believe that I was underpaid sick pay wages and overtime
10 wages and was not provided with accurate itemized wage statements.

11 3. During the pendency of this lawsuit, I have done my best to represent the interests of the
12 employees that are part of the class. I have actively contributed to the litigation of this case. My
13 contributions include but are not limited to (i) participating in numerous telephonic meetings with my
14 attorneys and their staff to discuss the case and review documents prepared on my behalf, (ii) providing
15 my attorneys with information and documents regarding my employment with Defendant, (iii) searching
16 for additional information and documents requested by my attorneys, (iv) reviewing and approving the
17 written notice to the Labor and Workforce Development Agency and the complaint and other papers
18 filed with the court, (v) participating in mediated settlement discussions, (vi) reviewing and executing
19 the settlement agreement, and (vii) reviewing and signing the declarations submitted to this Court in
20 support of the settlement. During the 25 months that this lawsuit has been pending, I have easily spent at
21 least two hours per month in progressing the litigation on behalf of the Class.

22 4. I understand that the class claims alleged in this action were brought on behalf of other
23 similarly situated employees, and thus I am acting as a representative for the Class. I understood that an
24 individual case would have resolved much faster than a class action and involved much less financial
25 risk than a class action.

26 5. Throughout the lawsuit, I have been kept apprised of the status of this case. As the class
27 representative, I understand that it is my responsibility to act in the Class's best interest and not my own.
28 I agree that I will not put my own interests ahead of that of the Class. Moreover, I am not aware of any

1 conflicts that exist between my interest and the interests of the Class that would impair or affect my
2 ability to serve as representative for the Class.

3 6. I have and continue to be willing to assist in the investigation of this matter as well as
4 make myself available for trial or any further proceeding in this matter as required to represent the
5 interests of the Class. I also understand my duties and responsibilities to the proposed class and will
6 carry out those duties as necessary.

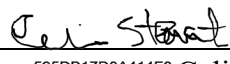
7 7. I have discussed the terms of the settlement agreement with my attorneys, and based on
8 my understanding of the case, I am of the opinion that settlement for the consideration and on the terms
9 set forth in the settlement agreement are fair, reasonable, and adequate, and in the best interests of the
10 Class.

11 8. I understood that filing this lawsuit is a public record and I accepted that burden. This
12 lawsuit is something that potential employers can look into, and which may cause a negative impact of
13 my employment prospects. I also understood that there were risks due to my involvement as a named
14 plaintiff in a representative lawsuit against a large employer. For instance, if I lost, I might have to face a
15 judgment for some of Defendant's legal costs. Even understanding all these risks, I was willing to move
16 forward and bring this case on behalf of the other employees.

17 9. As part of the settlement, I also agreed to sign a general release of claims and a waiver of
18 Civil Code section 1542.

19 I declare under penalty of perjury under the laws of the State of California that the foregoing is
20 true and correct. Executed this 30th day of January 2023, at Livermore, California.

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DocuSigned by:

525DB17D8A414F8 Celia Stewart