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Attorneys for PLAINTIFFS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

DEBBIE FELIX, an individual; RICK
MALEAD, an individual, on behalf of
themselves, and on behalf of all persons
similarly situated, and in their representative
capacity on behalf of the State of California and
fellow Aggrieved Employees,

Plaintiffs,

vs.

TVI, INC., d.b.a. SAVERS, a Washington
corporation; and DOES 1 through 50, Inclusive;

Defendants.

Case No: 21CV376407

**DECLARATION OF RICK MELEAD IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Date: October 21, 2021

Time: 1:30 p.m.

Dept.: 1

1 I, Rick Melead, declare as follows:

2 1. I am over the age of eighteen, and one of the Plaintiffs and Proposed Class
3 Representatives in the above-entitled matter. I submit this declaration in support of Plaintiffs'
4 Motion for Preliminary Approval of Class Settlement and in support of my application for the
5 requested Service Payment. I have personal knowledge of all the facts stated herein. I could and
6 would competently testify under oath to these facts in court if requested to do so.

7 2. On May 26, 2020, I filed a class action lawsuit in the Orange County Superior Court.
8 My case was filed on behalf of myself and a class of current and former non-exempt employees
9 who worked for TVI, Inc. ("Defendant"). I worked for Defendant between October 2015 and
10 October 2019 in California.

11 3. In August 2021, I joined Plaintiff's Debbie Felix' action, which is the underlying
12 action in the Santa Clara Superior Court.

13 4. I filed the original lawsuit and joined in Plaintiff Felix' lawsuit because I believed
14 my rights and those of my coworkers were violated by Defendant. Among other claims, I believe
15 Defendant violated my rights by not paying me for all the work I performed, underpaying my
16 overtime wages, and not providing me with premiums when I did not receive proper meal or rest
17 breaks.

18 5. Before I was officially involved in the case as a Plaintiff and Class Representative I
19 spoke at length with my attorneys. We discussed my work experience and how Defendant's policies
20 and practices were applied to me and my coworkers. I provided my attorneys with numerous
21 documents they had requested to review and discussed at length my experience working for
22 Defendant and my responsibilities as a Plaintiff and proposed Class Representative. I also had a
23 chance to review, and did review, the complaint before it was filed.

24 6. After speaking with my attorneys, I knew that I was representing myself and other
25 employees in this case and that there were significant risks involved. One significant risk is that if
26 we lost the case, I could be held personally liable for paying all or part of the money Defendant paid
27 its attorneys to defend this case. There is also the risk that a future employer could hold it against
28 me that I sued a former employer. I decided to go through with the case because I believed violations

1 occurred and most employees would not know what their rights are, and even if they did they would
2 be apprehensive to file a lawsuit against their employer for fear of retaliation.

3 7. During the lawsuit, I communicated on a regular basis with my attorneys. I reviewed
4 status updates from my attorneys and court filings on a regular basis and spoke to my attorneys on
5 the phone regularly because I wanted to keep up with developments in the case which I understood
6 was one of my duties as a class representative.

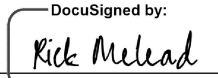
7 8. I could not personally attend the mediation in this case due to other commitments,
8 but I was available and participated by having telephone conversations with my counsel. During the
9 mediation I actively participated by speaking to my attorneys. After the mediation concluded, I
10 continued to communicate with my attorneys regarding the settlement negotiations, and ultimately
11 the terms of the Settlement which was reached between the parties in this case. I was very satisfied
12 with the terms of the Settlement that was agreed to by the parties. I reviewed and signed the
13 Memorandum of Understanding and when the Settlement papers were ready, I again spoke with my
14 attorneys and reviewed the Settlement agreement, which I signed.

15 9. Since the beginning of my case approximately 18 months ago, I have been actively
16 involved with this class action lawsuit performing the duties described above. I was in regular
17 contact with my attorneys, spoke to several of my coworkers about the case, reviewed important
18 court filings, and spent considerable time on the issues presented during the litigation and in the
19 settlement process. I estimate that I spent around 50 hours working on this case.

20 10. Ultimately, I believe I did the right thing in pursuing this case on behalf of the class
21 who now stand to receive substantial monetary payments as a result of this case and settlement. I
22 also believe that the requested Service Payment of \$7,500 from the settlement is fair compensation
23 for the work I performed, the broad release I agreed to, and the risks I undertook.

24 11. In light of all the time and effort I have spent on this case, the significant risks I
25 undertook by suing a former employer, the exposure to being responsible for paying Defendant's
26 costs in the event we did not win the case, the general release, and in light of the size of the
27 Settlement, I believe the request for \$7,500 as a Service Payment is fair and reasonable.
28

1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct. Executed on 9/22/2021 at Yorba Linda, California.

3
4
5 By: 
6 Rick Melead 7757EA753F7A4F5...