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VICTOR GONZALEZ, individually and on behalf of all others similarly situated.

[Additional Counsel Listed On Next Page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

ANDREW D. TAPPIN, DONYEISHA MISH,
DARNELL LEE, LUIS ROBLES, XOCHITL
VELASCO, and VICTOR GONZALEZ,
individually and on behalf of all others
similarly situated, and on behalf of the general
public as private attorney general,

Plaintiff,

vs.

TFORCE FREIGHT, INC., a Virginia
Corporation; and DOES 1 through 50,
inclusive,

Defendants

Case No. 34-2022-00314820-CU-OE-GDS

Assigned for All Purposes to:
Hon. Jill H. Talley
Dept. 23

**DECLARATION OF ANDREW D.
TAPPIN**

Date: June 21, 2024
Time: 9:00 a.m.
Dept. 23

Reservation No.: A-314820-003

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VICTOR GONZALEZ, individually and on behalf of all others similarly situated.

DECLARATION OF ANDREW D. TAPPIN

I, ANDREW D. TAPPIN hereby declare as follows:

1. I am over the age of eighteen. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendant TForce Freight, Inc., ("Defendant") in approximately April 2021 as a Non-Exempt Employee working as a Dock Worker. I worked for Defendant until my separation from Defendant's employ in approximately September 2021. While working for TForce, I don't think I was paid for all of my work time, such as time spent working after having meal periods interrupted, and time deducted by TForce where I was clocked in and starting work a few minutes before the scheduled start of a shift. I also don't think I got all of my meal and rest breaks like I was supposed to, and breaks were interrupted frequently by other supervisors and other employees needing parts. I had to use my own personal equipment such as my cell phone and vehicle for work as well but never got any reimbursement.

3. I decided to bring this lawsuit because I did not feel that I was treated fairly as an employee of Defendant, especially with regard to not being paid properly for all the hours I worked, and not getting all of my proper lunches and rest breaks. As a result, I believe the other class members and myself are owed additional compensation for all of the work we did that was not paid for by TForce.

4. It is my understanding this lawsuit could not have been prosecuted or settled unless I or some other employee decided to serve as a named plaintiff and pursue the case. In deciding to serve as a named plaintiff, I understood that my name would be publicly attached to this lawsuit and that my work experiences to some extent would be set forth in a public court file. I recognized that I would need to devote a certain amount of time that I could have spent otherwise. I also recognized that my bringing the lawsuit carried some degree of risk. Despite this, I decided to serve as the named plaintiff without any promise of recovery or compensation.

5. I am familiar with the work involved in prosecuting this case. I have participated in numerous meetings and communications with my lawyers regarding this case. I am familiar

1
2 with the allegations and defenses of the claims in this case. I am familiar with the major events
3 in this case, including the investigation performed by my lawyers, the mediation with Defendant
4 that resulted in this settlement, and the preparation of settlement papers and the need to obtain
5 court approval of the proposed settlement. I also was deposed for a full day and I participated in
6 all stages of the litigation and provided my lawyers with information and documents regarding
7 my employment with Defendant.

8 6. I believe that the proposed settlement obtained on behalf of the other aggrieved
9 employees is excellent in view of the issues and risks involved with the case.

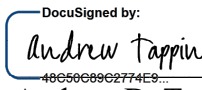
10 7. I believe I have fulfilled my duties as a named plaintiff and class representative,
11 which required a significant amount of time and effort during the course of this case. These
12 efforts required dedicating numerous hours to lawsuit activities including, but not limited to:
13 (a) communicating with my attorneys to stay informed of ongoing developments in the case and
14 to discuss the proposed settlement ultimately negotiated; (b) searching for and providing
15 documents and other materials relating to my work experience; (c) responding to requests for
16 information relating to my work experience; (d) preparing for my deposition although it was
17 never taken as result of the settlement, and (e) reviewing filings and key documents including
18 drafts of the complaint and the settlement agreement. These tasks required my dedication of at
19 least 30-35 or more hours of my time, which time I honestly could have spent on family,
20 personal time, school time, or work. My understanding is that future tasks may require several
21 more hours of my time. I believe I have been diligent and that I have acted above and beyond
22 that of which is expected of a named plaintiff to date and will continue to do so.

23 8. It is my opinion that \$10,000.00 is a fair and adequate award for my service as
24 the named plaintiff and class representative, and in consideration for my general release of all
25 claims against IPC. I believe that amount is fair and reasonable in view of the work I have and
26 will continue to perform on behalf of the State and the aggrieved employees. I believe that my
27 role in this lawsuit has resulted in a valuable benefit to the State of California and other
28 aggrieved employees, and I accepted the potential risk of being liable for the opposing parties' costs if we were unsuccessful in this lawsuit. I believed in this case, so I was willing to be the

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2 named plaintiff to risk this and pursue this class action litigation. I also accepted the risk that
3 news of this lawsuit could also potentially impact my ability to secure other work. At all times I
4 believe I have acted in the best interests of the entire class.

5 9. Based on the time, service, risk, stress, potential stigma, loss of benefits and
6 excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

7 I declare under penalty of perjury under the laws of the United States that the foregoing
8 is true and correct. Executed on 5/22/2024, at Ceres, California.

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10 DocuSigned by:

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11 Andrew D. Tappin
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