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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
IN AND 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 Talley
Dept. 23

DECLARATION OF DARNELL LEE

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

Reservation No.: A-314820-003

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

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1 I, Darnell lee, declare as follows:

2 I am an adult over the age of eighteen (18) years old. I am the Named Plaintiff who
3 filed the above-captioned lawsuit. I have personal knowledge of the facts set forth in this declaration.
4 I make this declaration in support of Plaintiffs' Motion for Preliminary Approval of Class Action
5 Settlement.

6 2. I am a current employee of Defendant TForce, and have worked there as a non-exempt
7 employee as a local pickup and delivery driver from approximately 2003 through the present. I
8 worked at the Rialto, California location until approximately early 2021, and since that time have
9 been at the Fontana, California location.

10 3. While working for TForce, I don't think I was paid for all of my work time, including
11 time spend putting on work uniforms and undergoing security checks, time I had to work when my
12 lunch break was interrupted, and time deducted by TForce where I was clocked in and starting work
13 a few minutes before the scheduled start of a shift. I also don't think I got all of my meal and rest
14 breaks like I was supposed to, and breaks were interrupted frequently. I had to use my personal cell
15 phone for work as well but never got any reimbursement.

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

26 5. It is my understanding this lawsuit could not have been prosecuted or settled unless
22 I or some other employee decided to serve as a named plaintiff and pursue the case. In deciding to
23 serve as a named plaintiff, I understood that my name would be publicly attached to this lawsuit
24 and that my work experiences to some extent would be set forth in a public court file. I recognized
25 that I would need to devote a certain amount of time that I could have spent otherwise. I also
26 recognized that my bringing the lawsuit carried some degree of risk. Despite this, I decided to serve
27 as the named plaintiff without any promise of recovery or compensation.
28

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

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

11 8. I believe I have fulfilled my duties as a named plaintiff and class representative,
12 which required a significant amount of time and effort during the course of this case. These efforts
13 required dedicating numerous hours to lawsuit activities including, but not limited to:
14 (a) communicating with my attorneys to stay informed of ongoing developments in the case and to
15 discuss the proposed settlement ultimately negotiated; (b) searching for and providing documents
16 and other materials relating to my work experience; (c) responding to requests for information
17 relating to my work experience; and (d) reviewing filings and key documents including drafts of
18 the complaint and the settlement agreement. These tasks required my dedication of at least 20-25
19 hours of my time, which time I honestly could have spent on family, personal time, school time, or
20 work. My understanding is that future tasks may require several more hours of my time. I believe I
26 have been diligent and that I have acted above and beyond that of which is expected of a named
22 plaintiff to date and will continue to do so.

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

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

5 10. 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 is
8 true and correct. Executed on 05 / 24 / 2024, at San Bernardino, California.

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Darnell Lee