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Attorneys for Plaintiffs and the Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

RAMIRO PEREZ, individually, and on
behalf of other members of the general public
similarly situated; KIM BALLING,
individually, and on behalf of other members
of the general public similarly situated and
on behalf of other aggrieved employees
pursuant to the California Private Attorneys
General Act;

Plaintiffs,

vs.

KAISER ALUMINUM CORPORATION, an
unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 18STCV06639

Honorable Carolyn B. Kuhl
Department SSC-12

CLASS ACTION

**DECLARATION OF KIM BALLING IN
SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys Fees, Costs, and Incentive Awards;
Declaration of Class Counsel (Edwin
Aiwasian); Declaration of Class
Representative (Ramiro Perez); and [Proposed]
Final Approval Order and Judgment filed
concurrently herewith]

Date: May 26, 2022
Time: 10:30 a.m.
Department: SSC-12

Complaint Filed: November 29, 2018
FAC Filed: April 16, 2021
Trial Date: None Set

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I, **Kim Balling**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in the above-captioned cases. I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I was employed by Defendant Kaiser Aluminum Corporation (“Kaiser Aluminum”) in an hourly-paid, non-exempt position from approximately January 2014 to March 2020. I decided to seek legal advice about my work experiences with Kaiser Aluminum and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Kaiser Aluminum paid me and other employees what was owed to us for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated complex wage-and-hour lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 6 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for 6 hours to discuss my situation, complex wage-and-hour class actions and representative actions under the Private Attorneys General Act (“PAGA”) in general, and what it meant to be a named plaintiff, class representative, and PAGA representative.

3. I spent over 12 hours meeting with my attorneys and fulfilling my responsibilities as a class representative in these cases, which included gathering documents concerning my employment with Kaiser Aluminum, reviewing documents with my attorneys, answering their questions, providing guidance regarding the work performed by non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Kaiser Aluminum. I frequently checked in with my attorneys and their staff to make sure that they had my most current information and any additional information that I had obtained.

4. As the cases progressed, I was available to answer any questions my attorneys had, and available to speak and meet with them whenever they needed me. I responded to my attorneys as quickly as possible and gave them as much information and identified as many documents as I could. I spent at least 6 additional hours speaking with my attorneys about the cases, identifying

1 potential witnesses, providing my attorneys with documents and information concerning the cases,
2 and also describing policies, practices, and procedures of Kaiser Aluminum.

3 5. As far as the settlement is concerned, I was available to review documents and
4 answer any questions my attorneys had. I spent about 3 hours reviewing the settlement documents
5 and about 1 hour asking questions and discussing the potential settlement with my attorneys before
6 signing the settlement papers.

7 6. I believe that I have done everything that my attorneys have asked of me and have
8 tried, to the best of my ability, to represent the class. I think my efforts helped to get the result
9 obtained in these cases, and as a class and PAGA representative, I respectfully request that the
10 Court award me a service payment in the amount of \$5,000.00 for my active participation in this
11 case. Taking into consideration the time that I have dedicated to this case, I believe that this amount
12 is reasonable.

13 7. I am not related to anyone associated with Lawyers *for* Justice, PC.

14 8. I have not entered into any undisclosed agreements, nor have I received any
15 undisclosed compensation in this case. The only compensation I will receive is whatever amount
16 the Court awards as a service payment, as well as my share of the settlement fund as a class member.

17 I declare under penalty of perjury under the laws of the State of California that the foregoing
18 is true and correct.

19 Executed on 06/05/2021, at Corinth, Texas.

21 Electronically Signed 2021-06-05 16:57:52 UTC - 71.12.39.22
Kim Balling
AssureSign® 557a521c-9ecd-43ed-a50f-ad3d01765b6c

22 Kim Balling