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*Attorneys for Plaintiff*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**FOR THE COUNTY OF SAN LUIS OBISPO**

STEPHEN FIANT, as an individual and on  
behalf of all others similarly situated,

Plaintiff,

vs.

ERNIE BALL, INC., a California corporation;  
and DOES 1 through 100,

Defendants.

Case No. 21CV-0016

*[Assigned for all purposes to the Hon. Tana  
L. Coates, Dept. 9]*

**DECLARATION OF STEPHEN FIANT  
IN SUPPORT OF APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: May 4, 2022  
Time: 9:00 a.m.  
Dept.: 9

Action Filed: January 14, 2021  
Trial Date: None Set

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I, STEPHEN FIANT, declare as follows:

1. I am an individual over the age of 18 and am the named plaintiff in this matter.

This declaration is submitted in support of approval of the proposed class action settlement (“Settlement”) reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

2. I worked for Ernie Ball, Inc. (“Defendant”) as a non-exempt manufacturing employee at Defendant’s San Luis Obispo, California location from approximately September 16, 2016 until approximately July 27, 2020. Throughout my employment with Defendant, my duties included metalworking, machine operation, and the assembly and fabrication of various tools.

3. During my employment, Defendant did not pay me the correct overtime wages that I believe I was owed. Specifically, during the early months of the COVID-19 pandemic, Defendant paid me a weekly attendance bonus, but failed to include the value of my bonuses in my overtime rate of pay when I worked overtime hours during the same pay period.

4. I brought this lawsuit because I felt that Defendant did not pay me or its other employees all of the overtime wages we were owed, and I want Defendant to comply with the law and treat its employees fairly. I feel that I have taken on a greater burden than any of the other class members because I have been actively involved in the litigation, and because it is my name that is attached to the lawsuit. Although I was aware of the risks of filing a lawsuit, I chose to move forward with the case anyway. Through my efforts, Defendant has agreed to a settlement that will benefit current and former employees of Defendant and I believe that I should be compensated for carrying the burden of this litigation for the benefit of the other employees.

5. I have been actively involved in this case since before it was even filed. Among other things, I gathered relevant documents for use in the lawsuit and provided factual information to my attorneys, had various phone calls with my attorneys to discuss the claims in the lawsuit and Defendant's practices, had conversations with my attorneys prior to mediation

1 to help them prepare, and otherwise assisted my attorneys in moving this case towards  
2 resolution. I estimate that I have spent approximately 10 to 15 hours in total on these activities.

3 I declare under penalty of perjury under the laws of the state of California and the  
4 United States that the foregoing is true and correct. Executed on Apr 4, 2022, 2022 at  
5 San Luis Obispo, California.

6 *Stephen Wayne Fiant*  
Stephen Wayne Fiant (Apr 4, 2022 10:40 PDT)

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