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

MARGARET MATTHEWS, OKEEM SMITH,
TOMAS VERDUZCO ALCALA, and DARRYL
KNOX, as individuals and on behalf of all others
similarly situated, and as private attorneys general,

Plaintiffs,

vs.

UNITED NATURAL FOODS WEST, INC., a
California corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. S-CV-0046420

**DECLARATION OF OKEEM SMITH IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: December 1, 2022
Time: 8:25 a.m.
Department: 3

Complaint Filed: March 23, 2021

1 I, Okeem Smith, declare as follows:

2 1. I am an individual over the age of 18. I am a named plaintiff in the above-referenced
3 action. I have personal knowledge of the facts set forth below, except as to those matters stated on
4 information and belief and, as to those matters, I believe them to be true. If called as a witness, I could
5 testify competently as to the matters stated in this declaration.

6 2. In June of 2008 I began working for United Natural Foods West, Inc. in California. I was
7 paid on an hourly basis as a non-exempt employee and also earned non-discretionary compensation such
8 as wellness credits. I regularly was not provided either duty-free 10-minute rest periods or duty-free 30-
9 minute meal periods within the first five hours of work. Nor was I paid an additional hour of regular rate
10 wages for the missed meal and rest periods. I was also not paid minimum wages on occasions when I
11 was interrupted during my meal and/or rest breaks and had to attend to various work-related issues. I
12 also am informed and believe that I was underpaid overtime wages and sick pay wages, which were not
13 paid based on my regular rate of pay. I also incurred expenses for using my personal cell phone for
14 work-related issues but was not reimbursed for all expenses associated with using my cell phone for
15 work-related issues. I also am informed and believe that I was not provided with accurate itemized wage
16 statements.

17 3. I have taken all necessary steps to represent the interests of the Class, including by
18 providing information and documents to my counsel, discussing the claims and lawsuit with my counsel,
19 and answering any questions that have come up, including about how I was paid or what my wage
20 statements show. I understand that I am responsible to the Class with respect to trying the case,
21 appearing in court, and working with Class Counsel. I am willing to act as a fiduciary for the Class. I
22 remain willing to devote my time to this lawsuit for the benefit of the Class. I do not believe I have any
23 interests that are adverse to the interests of the Class. I also am unaware of any such issues having been
24 raised or presented by anyone else.

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26 ///

27 ///

28 ///

4. I believe many employees would not sue their employer out of fear. I took on this risk and other risks by bringing this lawsuit, and I understand that other people will benefit because of the actions that I have taken. I feel that it is a positive accomplishment, am proud of the result, and believe that the class settlement is fair, adequate, and reasonable.

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

Executed on Oct 24, 2022, at Sanjacinto Ca.
(city, state)


Okeem smith (Oct 24, 2022 11:44 PDT)

Okeem Smith