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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

RICARDO TREJO, an individual, on behalf
of himself and all others similarly situated,

Plaintiff,

vs.

TOTAL DISTRIBUTION SERVICE, INC., a
California Corporation, and DOES 1 through
100,

Defendants.

CASE NO. 56-2021-00553039-CU-OE-VTA

*[Case assigned for all purposes to the Hon.
Jeffrey Bennett, Dept. 21]*

**DECLARATION OF RICARDO TREJO
IN SUPPORT OF MOTION FOR
SETTLEMENT APPROVAL OF
CLAIMS BROUGHT UNDER THE
PRIVATE ATTORNEYS GENERAL
ACT, REASONABLE ATTORNEYS' FEES
AND COSTS, AND ENHANCEMENT
AWARD**

Date: May 10, 2022
Time: 8:30 a.m.
Dept.: 21

Action Filed: April 9, 2021
Trial Date: None Set

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I, Ricardo Trejo, declare as follows:

1. I am an individual over the age of 18 and the named plaintiff in this matter. This motion is submitted in support of approval of the proposed settlement (“Settlement”) in this case. I have personal knowledge of the facts stated in this declaration and could competently to them if called upon to do so.

2. I worked for Total Distribution Service, Inc. (“Total Distribution”) as a non-employee from approximately 2015 to June 2020. My job title was “commercial truck driver.” During my employment, Total Distribution did not pay me for all the hours that I worked, including the times I had to clock out for my meal periods but continue working. Specifically, Total Distribution required me to clock out for my meal period before my sixth hour of working, even if I could not take a 30-minute meal period. For example, there were times when I had to sit in the truck and wait in line behind other trucks to enter the Port of Long Beach, I could not exit the truck during this time even if it fell during the time I was supposed to clock out for my meal period. As a result, I had to clock out for a meal period but remain in the company truck and either miss my meal period or have a meal period later in the day. Total Distribution did not pay me premium pay for any missed or late meal periods. I understand that Total Distribution did not pay me correctly when I earned bonuses.

3. When I filed this lawsuit, I understood that it had the chance to benefit other workers by helping them recover penalties owed to them. I knew there were risks associated with filing a lawsuit, but I accepted the risks because I wanted Total Distribution to comply with the law. Even though I understood that this lawsuit would be a public record, I accepted the burden for the benefit of Total Distribution's other workers.

4. I have been actively involved in this case since before it was filed. Among things, I gathered documents and provided them to my attorneys, had multiple discussions with my attorneys regarding Total Distribution's policies and practices, my work at Total Distribution, my work hours and scheduling of meal breaks, and provided

1 information about other employees who experienced similar wage and hour violations. I
2 estimate that I have spent at least 15 hours 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 Mar 25, 2022 at
5 3:30pm.

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Ricardo Trejo (Mar 25, 2022 15:35 PDT)

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