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Attorneys for Plaintiff, the Class, and Aggrieved Employees

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF CONTRA COSTA**

TONY CATELLI, as an individual and on
 behalf of all others similarly situated,

Plaintiffs,

vs.

INNOVATIVE CONSTRUCTION
 SOLUTIONS, a California corporation; and
 DOES 1 through 50, inclusive,

Defendants.

Case No.: MSC21-01257

(Assigned for all purposes to the Honorable
 Charles S. Treat, Dept. 12)

**DECLARATION OF TONY CATELLI IN
 SUPPORT OF PLAINTIFF'S MOTION FOR
 FINAL APPROVAL OF CLASS ACTION
 AND PAGA SETTLEMENT**

Date: June 8, 2023

Time: 9:00 a.m.

Dept.: 12

Complaint Filed: June 1, 2021

Trial Date: None Set

DECLARATION OF TONY CATELLI

I, Tony Catelli, declare as follows:

1. I am an individual over the age of 18. I am the named plaintiff in the above-referenced action. I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I was employed by Defendant Innovative Construction Solutions (“Defendant”) as a Technician 2 from approximately December 2002, until about February 12, 2021. I worked as an hourly, non-exempt employee.

3. During my employment with Defendant, I am informed and believe, and on that basis state, that Defendant failed to provide me with accurate wage statements. Specifically, it is my understanding that Defendant did not include the pay period start date on my wage statements.

4. I do not believe I have any interests that are adverse to the other employees that are part of this class action settlement.

5. I understand that this action was brought on behalf of all other employees within the State of California, and thus I am acting as a representative for the Class. As Class Representative, I understand that it is my responsibility to act in the Class’s best interest and not my own. I agree that I will not put my own interests ahead of that of the Class, and that I will not settle out my claims separately or independently from the Class. Moreover, I was not aware of any conflicts that exist between my interest and the interests of the Class that would impair or affect my ability to serve as representative for the Class.

6. I have and continue to be willing to assist in the investigation of this matter as well as make myself available for trial or any further proceeding in this matter as required to represent the interests of the Class. I also understand my duties and responsibilities to the proposed class and will carry out those duties as necessary.

7. I have discussed the terms of the settlement with my attorneys, and based on the information provided, I believe the settlement to be fair, adequate, and reasonable for myself and for the entire Class.

9 10. I also understood that this lawsuit is a public record and something that potential
10 employers can look into and which may cause a negative impact on my employment prospects.
11 As such, I risked my future employment in order to file this lawsuit.

12 11. I am proud of the result and accomplishment of this lawsuit. I feel that it is a
13 positive accomplishment of this lawsuit. I understand that many individuals will benefit in this
14 lawsuit because of the actions that I have taken.

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed on May 9th, 2023, at Woodland, California.

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CLASS ACTION AND PAGA SETTLEMENT**