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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

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

AMY PHELAN, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

RLS-CMC, INC., a Delaware Corporation;
and DOES 1 through 20, inclusive;

Defendants.

Case No.: CVRI2101907
*[Assigned to Hon. Harold Hopp, Dept 1, for all
purposes]*

**DECLARATION OF PLAINTIFF AMY
PHELAN**

Hearing

Date: November 9, 2023

Time: 8:30 a.m.

Dept.: 1

Complaint filed: 4/13/2021

I, Amy Phelan, state and declare:

1. I am the Plaintiff in the above captioned action and have personal knowledge of all matters stated herein and could competently testify thereto. I make this declaration in support of the motion for preliminary approval of the class action settlement. I believe that the settlement is fair and reasonable and constitutes a fair resolution of the claims alleged.

2. When I first retained my attorneys (Lauby, Mankin & Lauby) and chose to pursue this case on a class action basis, I understood that I had specific burdens as the "Class Representative," which included: (a) representing the interests of all class members, (2)

1 considering the interests of all class members above my own personal interests, (3) participating
2 actively in the lawsuit, including potential testimony at deposition and trial, and keeping
3 generally aware of the status and progress of the lawsuit. Moreover, I understood that any
4 resolution of the lawsuit is subject to court approval and must be designed in the best interests of
5 the class as a whole.

6 3. Since first initiating this action on behalf of the proposed class, I believe that I
7 have more than adequately performed my duties as a class representative. I have been an active
8 participant in this litigation, including assisting my attorneys in various ways and making myself
9 available when needed. For example, I have assisted my attorneys by compiling and analyzing
10 substantial documentation regarding the claims in this case. I have also helped to explain and
11 discuss the company's practices and their general practices and procedures, locating and
12 analyzing company documents, among others. I have also reviewed all settlement documents and
13 believe that this settlement is fair for the class. Finally, I will continue to take all steps necessary
14 to finalize this settlement and obtain court approval.

15 4. I have no conflicts with the proposed class members and will continue to assist
16 with the litigation and prosecute the case on behalf of the other employees.

17 5. I respectfully request that the court preliminarily approve the service award. As
18 outlined above, I have performed substantial services for the Class and helped obtain a highly
19 beneficial settlement for my fellow employees. And I have also agreed to waive all of my claims
20 against the company as part of this settlement and in exchange for the service award – which
21 goes well beyond the release given by other class members. At the final approval stage, I will
22 submit an additional declaration setting forth all the work I did for this case, including an
23 estimated number of hours spent assisting the Class and my attorneys.

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct. Executed on Oct 4, 2023, at Perris, California.

26
27
28 By:


amy.phelan (Oct 4, 2023 17:26 PDT)

Amy Phelan