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Attorneys For Plaintiff
HUMBERTO PRADO

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO - CENTRAL DIVISION**

HUMBERTO PRADO, an individual,

Plaintiff,

v.

PROBUILD COMPANY, LLC, and DOES 1
through 25, Inclusive,

Defendants.

Case No.: 37-2021-00032916-CU-OE-CTL

**DECLARATION OF JUSTIN HEWGILL IN
SUPPORT OF PLAINTIFFS' MOTION TO
DISMISS PAGA ACTION WITHOUT
PREJUDICE**

Date: December 7, 2023

Time: 8:30 a.m.

Dept.: C-75

Judge: Hon. James A. Mangione

Complaint Filed: August 02, 2021

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1. I am an attorney duly licensed to practice in California and am a partner at Hewgill, Cobb & Lockard, APC, counsel of record for Plaintiffs in this action. The following information is based upon my personal knowledge. If called upon to do so, I could and would competently testify to the truth of the matters stated herein.

3. Through form and informal discovery my office investigated the PAGA claims in this action. The PAGA group is small – at the time of the Belaire West Process was completed, the group was only 35 contractors with the Defendant. My office called every contractor on that list. Some of those are individual contract drivers similar to Plaintiff, others were contractors with multiple driver employees. The wage and hour policies the members of the group report dealing with while working for the Defendant appear to vary significantly across both time, and location (yard) the drivers work out of.

5. On December 6, 2023 I submitted Plaintiff's Ex Parte Motion to Dismiss Without Prejudice PAGA Action, along with this declaration, and the Proposed Order to the LWDA and informed the Agency of the date and time of the hearing in this matter.

HEWGILL, COBB & LOCKARD

By: 
Justin Hewgill
Attorney for Plaintiff