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Attorneys for Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

MIGUEL MONTOYA, individually, and on
behalf of other members of the general public
similarly situated;

Plaintiff,

vs.

AMERON INTERNATIONAL
CORPORATION, a Delaware corporation;
AMERON WATER TRANSMISSION
GROUP, LLC, an unknown limited liability
company; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: CIVDS1718377

Honorable David S. Cohn
Department S26

CLASS ACTION

**DECLARATION OF NICHOLAS LANE
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

[Plaintiff's Motion for Preliminary Approval of
Class Action Settlement; Declaration of
Proposed Class Counsel (Joanna Ghosh);
Declarations of Proposed Class Representatives
(Miguel Montoya, LeCostel Williams, and Jose
Rosendo Camarillo); and [Proposed] Order
filed concurrently herewith]

Date: July 1, 2022
Time: 10:00 a.m.
Department: S26

Complaint Filed: September 20, 2017
Trial Date: None Set

DECLARATION OF NICHOLAS LANE

I, **Nicholas Lane**, hereby declare as follows:

1. I am over 18 years of age and a resident of California. I am the named plaintiff in *Nicholas Lane v. Ameron Pole Products, et al.*, Superior Court of California for the County of Ventura, Case No. 56-2018-00515902-CU-OE-VTA (“*Lane Action*”) and a proposed plaintiff in *Miguel Montoya v. Ameron International Corporation, et al.*, Superior Court of California for the County of San Bernardino, Case No. CIVDS1718377 (“*Montoya Action*”). I have personal knowledge of the facts and statements set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

2. I worked in an hourly-paid, non-exempt position from approximately November 2013 to approximately July 2014 and from approximately October 2016 to approximately June 2017 for Ameron International Corporation, Ameron Water Transmission Group, LLC, Ameron Pole Products, LLC, NOV Process & Flow Technologies US, Inc., Containment Solutions, Inc., Containment Solutions Services, Inc., National Oilwell Varco, L.P., NOV, Inc., and NOW Oilfield Services, LLC (collectively, “Defendants”). I decided to seek legal advice about my work experiences with Defendants and about pursuing my grievances. I contacted Lawyers *for* Justice, PC and spoke with attorneys there. I wanted to do whatever I could to make sure Defendants paid me and other employees what was owed to us and was held accountable for their practice of not properly compensating their employees for all hours worked and non-compliant meal and rest breaks. After speaking with the attorneys, I investigated class action lawsuits on my own and did some research into the leading class action and employment law firms in California for approximately 4 hours. Thereafter, I consulted with the attorneys at Lawyers *for* Justice, PC for 5 hours discussing my situation, class action lawsuits in general, and what it means to be a class representative.

3. Since becoming involved in this matter, I have spent over 7 hours meeting with my attorneys regarding the matter and fulfilling my responsibilities as a named plaintiff and class representative, which included gathering documents concerning my employment with Defendants, reviewing documents with my attorneys and answering their questions, providing

1 information regarding the duties of non-exempt employees, and helping develop a strategy as to
2 what documents and information to obtain from Defendants. I routinely checked in with my
3 attorneys and their staff to make sure that they were updated with my most current information
4 and any additional information that I had obtained.

5 4. As the case progressed, I was available to answer any questions my attorneys had,
6 and available to speak and meet with my attorneys whenever they needed me. I responded to
7 them as quickly as possible and gave them as much information and identified as many
8 documents as I could. I spent at least 9 additional hours speaking with my attorneys about the
9 case, identifying potential witnesses, providing my attorneys with documents and information
10 concerning the case, and also describing policies, practices, and procedures of Defendants.
11 During the discovery phase of the litigation, I spent approximately 12 additional hours reviewing
12 discovery requests, locating documents, and providing documents and responses to my attorneys.

13 5. On October 15, 2020, I attended a full day of deposition that lasted approximately
14 7 hours. I spent at least 5 hours preparing for the deposition. After the deposition, I spent at least
15 3 hours reviewing my testimony and discussing the contents of the deposition transcript with my
16 attorneys.

17 6. As far as the settlement is concerned, I was available to review documents and
18 answer any questions my attorneys had. I spent about 2 hours reviewing the settlement
19 agreement and about 1 hour asking questions and discussing the potential settlement with my
20 attorneys before signing the settlement agreement.

21 7. I believe that I have done everything that my attorneys have asked of me and have
22 tried, to the best of my ability, to represent the class. I think my efforts helped to get the result
23 obtained in this matter, and as a class representative, I respectfully request that the Court award
24 me an incentive award in the amount of \$10,000.00 for my active participation in this matter.
25 Taking into consideration the time that I have dedicated to this matter, I believe that this amount
26 is reasonable.

27 8. I am not related to anyone associated with Lawyers *for* Justice, PC or Sherman &
28 Sherman, APC.

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2 9. I have not entered into any undisclosed agreements, nor have I received any
3 undisclosed compensation in this matter. The only compensation I will receive is whatever
4 amount the Court awards as an incentive award, as well as my individual settlement payment.

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

04/20/2022

7 Executed this ____ day of April 2022, at Santa Paula, California.

8  Electronically Signed 2022-04-20 20:37:56 UTC - 174.193.130.134
Nintex AssureSign® 71df5b6d-d532-4125-a59b-ae7d014e101e

9 Nicholas Lane