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Attorneys for Plaintiff Richard Evans

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

RICHARD EVANS, individually, and on behalf
of other members of the public similarly situated,
and on behalf of other aggrieved employees
pursuant to the California Private Attorney
General Act;

Plaintiff,

v.

MY PAINT STOP, LLC., dba CREATIVE
PAINT, a California Limited Liability Company;
and DOES 1 through 25, inclusive,

Defendants.

Case No.: MSC21-01812

Honorable Edward G. Weil

**DECLARATION OF RICHARD EVANS IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date:
Time:
Dept.: 39

Complaint Filed: August 30, 2021
Trial Date: Not Set

DECLARATION OF RICHARD EVANS

I, Richard Evans, declare and state as follows:

1. I am over the age of eighteen (18) and I am a resident of the State of California. 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 am the named plaintiff in this action, and I seek to be appointed as the representative of the proposed class for purposes of settlement.

3. I was employed by Defendant My Paint Stop, LLC dba Creative Paint ("Defendant" or "My Paint Stop") from October 2015 to April 2021. I first worked as a Sales Representative and then became a non-exempt Store Manager at Defendant's Danville location. During my employment, I was responsible for selling paint to individual buyers, as well as businesses, in addition to delivering paint, conducting inventory, cleaning, stocking, merchandising, among other sales and customer related duties.

4. I decided to seek legal advice about my work experiences at My Paint Stop and about filing a lawsuit to seek to redress my grievances. I contacted Blackstone Law, APC and spoke with the attorneys there. I wanted to take steps on behalf of not just myself, but also on behalf of other employees to make sure My Paint Stop was held accountable for not properly compensating its employees for all hours worked and for non-compliant meal and rest breaks. After speaking with the attorneys, I looked into what class and representative action lawsuits meant on my own. Thereafter, I further consulted with the attorneys at Blackstone Law, APC about my concerns, class and representative action lawsuits under the Private Attorneys General Act ("PAGA"), and what it meant to bring a class and PAGA action.

5. Since becoming involved in this matter, I have regularly conferred with my attorneys regarding the case and fulfilling my responsibilities as a class action and PAGA representative, which has included providing documents concerning my employment with My Paint Stop, reviewing documents with my attorneys and answering their questions, providing information and guidance regarding the duties of other non-exempt employees, and helping develop a strategy as to what documents and information to obtain from Defendant. I routinely checked in with my attorneys and

1 their staff to make sure that they had all of my most current information and any additional information
2 that I had obtained.

3 6. Throughout my involvement in this case, I was available to answer any questions my
4 attorneys had and was available to speak and meet with my attorneys whenever they needed me. I
5 responded to them as quickly as possible and gave them as much information as I could. I described
6 policies, practices, and procedures of My Paint Stop. I worked to obtain information regarding several
7 potential other witnesses and/or class members to provide to my attorneys in case it was needed to
8 better prosecute this matter. In preparing for mediation, I spent a number of hours reviewing
9 documents provided by My Paint Stop.

10 7. I reviewed the settlement agreement, as well as discussed it with my attorneys and
11 asked questions, before signing the settlement agreement.

12 8. I believe that I have done everything that my attorneys have asked of me and tried, to
13 the best of my ability, to seek relief for the class, the aggrieved employees, and the State of California.
14 I think my efforts helped to get the result obtained in this case.

15 9. I understand that any resolution of this lawsuit on a class wide basis is subject to court
16 approval, and any settlement must be designed in the best interest of the class as a whole. I have at all
17 times throughout the course of this litigation considered the interest of the class.

18 10. I respectfully request that the Court approve and award me a service payment in the
19 amount of \$7,500.00 for my efforts and active participation in the case and broader release of claims.
20 Taking into consideration the time that I dedicated to this case, I believe that this amount is reasonable.

21 11. I am not related to anyone associated with Blackstone Law, APC.

22 Executed on 09/07/2022, at San Leandro, California.

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26 Richard Evans
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