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Attorneys for Plaintiff RENE G. NAVARRO LOVERA,
individually and on behalf of all others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

RENE G. NAVARRO LOVERA, individually
and on behalf of all others similarly situated,

Plaintiff,

v.

FORWARD AIR SERVICES, LLC, a
Delaware Limited Liability Company;
FORWARD AIR, INC., a Tennessee
Corporation; and DOES 1-50, inclusive,

Defendants.

Case No. 21STCV39280

ASSIGNED FOR ALL PURPOSES TO:

JUDGE: Hon. Holly J. Fujie

DEPT: 56

**DECLARATION OF RENE G. NAVARRO
LOVERA IN SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: February 21, 2023

Time: 8:30 a.m.

Dept.: 56

Reservation No.:

161852485722

DECLARATION OF RENE G. NAVARRO LOVERA

I, RENE G. NAVARRO LOVERA hereby declare as follows:

1. I am over the age of eighteen and I submit this Declaration in support of the motion for preliminary approval of the settlement and fees, costs and enhancement. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendants FORWARD AIR SERVICES, LLC and FORWARD AIR, INC. ("Defendants") in approximately September 2020 as a Non-Exempt Employee working as a Equipment Operator and worked during the liability period for Defendants until my separation from Defendant's employ in approximately November 2020. I typically worked 5 days a week and 40 or more hours per week.

3. As a non-exempt employee, I suffered the same damages as other employees. These included not being paid all my wages, not provided meal periods or permitted rest periods, not provided accurate wage statements, not reimbursed for business expenses incurred, not paid timely during my employment, not timely paid wages upon my separation from Defendant's employ, not provided accurate itemized wage statements, violations of my rights under the Fair Credit and Reporting Act, as well as violations under the UCL all in accordance with California law. As a result of these alleged violations, I sought consultation with my attorneys at James Hawkins, APLC.

4. Based upon my allegations, and after consultation and full disclosure from my attorneys about the potential risks I faced as a Plaintiff in a putative class action, I freely decided to pursue this lawsuit to try and vindicate my rights and the rights of others who also worked for Defendants and suffered similar harms due to Defendant's common practices and policies.

5. Prior to filing my action, my attorneys and I had multiple conferences about the factual bases for the claims that I wanted to pursue against Defendant. During those conferences, my attorneys provided me with an overview of how those claims would be litigated and generally educated me about the nature of complex/representative litigation and my role as

1 the representative Plaintiff.

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3 6. My attorneys provided me with a draft of the complaint for my review and
4 approval. I closely reviewed the complaint to ensure accuracy and completeness. As a
5 result, I caused my attorneys to file the class action complaint alleging claims for the allegations
6 alleged therein. Thereafter, I have been fully involved in my case. Following the filing of the
7 complaint, I collaborated with my attorneys on the prosecution of my claims, and I regularly
8 contacted my attorneys to stay current on the status of the litigation, and to discuss my
9 attorneys' progress in prosecuting the claims.

10 7. Since I believe I was not accurately paid all my wages, not provided meal periods
11 or permitted rest periods, not provided accurate wage statements, not reimbursed for business
12 expenses incurred, not paid timely during my employment, not timely paid wages upon my
13 separation from Defendant's employ, not provided accurate itemized wage statements,
14 violations of my rights under the Fair Credit and Reporting Act, as well as violations under the
15 UCL I believe that I have been similarly injured as to all other class members in the settlement
16 who worked for Defendants during the class period. I believe the claims asserted in the
17 Complaint is also shared by the other Class Members. I worked with various other non-exempt
18 employees and I believe we were all treated the same and subject to the same unlawful policies.

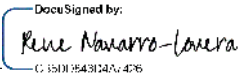
19 8. Since I agreed to become a Class Representative, I have worked every step
20 of the way with my attorneys. During the course of the litigation I have always kept the best
21 interest of the Class Members on equal footing as mine. I have been, and I am willing to
22 continue to pursue the Class Members' claims vigorously on our collective behalf if the
23 Settlement is not finally approved. As a result, I firmly believe that I do not have any interests
24 adverse to the interests of the Class Members. I have maintained the Class Members best
25 interest from the inception of the case.

26 9. As one of the Class Representatives, I have spent numerous hours consulting
27 with my attorneys, providing documentation, consulting with other Class Members, responding
28 to questions by my attorneys, providing documents to my attorneys, working with my attorneys
to review documents received, helping my attorneys in preparing for the mediation and

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2 attending the mediation via telephone. I was consulted about the status of the case and provided
3 constant feedback about the case from my attorneys including the mediation, settlement
4 negotiations and eventual settlement. I estimate I have spent approximately 45 hours working
5 on this case.

6 10. From the beginning of this case, I have freely chosen to accept the risks of
7 being one of the Class Representatives in this class action lawsuit. I chose to assume these risks
8 and pursue the claims on behalf of the Class Members as I wanted to vindicate their rights. I
9 believe we have achieved that result with the settlement and the individual payments to the
10 Class Members. I believe the settlement is fair reasonable and adequate based on the numerous
11 defenses asserted by Defendants. I believe the efforts and work I put forth helped to achieve the
12 fair settlement that will benefit the Class Members. As a result of my efforts, I also believe the
13 Class Representative Incentive Award is reasonable, and I respectfully request the Court
14 approve the amount of \$15,000.00 as fair and reasonable.

15 I declare under penalty of perjury under the laws of the state of California
16 that the foregoing is true and correct. Executed on January 26, 2023, at Long
17 Beach, California

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19 **RENE G. NAVARRO LOVERA**
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