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Attorneys for Plaintiff EDMUNDO BAQUIRING,
individually and on behalf of all others similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA**

EDMUNDO BAQUIRING, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

CALIFORNIA SIERRA EXPRESS, INC., a
Nevada Corporation; and DOES 1-50,
inclusive,

Defendants.

CASE NO.: RG21106254
Consolidated with Case No. 21CV00142
Hon. Evelio Grillo

**DECLARATION OF EDMUNDO
BAQUIRING IN SUPPORT OF MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: February 3, 2023
Time: 10:00 a.m.
Dept.: 21

DECLARATION OF JEREMY RODRIGUEZ

I, EDMUNDO BAQUIRING 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 Defendant California Sierra Express, Inc., ("Defendant") in approximately February 2017 as a Non-Exempt Employee working as a Driver and worked during the liability period for Defendant until my separation from Defendant's employ in approximately August 2020. I typically worked 5 days a week and 50 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, and not timely paid wages upon my separation from Defendant's employ 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 the representative Plaintiff.

6. My attorneys provided me with a draft of the complaint for my review and approval. I closely reviewed the complaint to ensure accuracy and completeness. As a

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2 result, I caused my attorneys to file the class action complaint alleging claims for the allegations
3 alleged therein. Thereafter, I have been fully involved in my case. Following the filing of the
4 complaint, I collaborated with my attorneys on the prosecution of my claims, and I regularly
5 contacted my attorneys to stay current on the status of the litigation, and to discuss my
6 attorneys' progress in prosecuting the claims.

7 7. Since I believe I was not accurately paid wages, not timely paid wages, not
8 provided meal breaks and not permitted my rest breaks, and therefore not provided accurate
9 itemized wage statements, I believe that I have been similarly injured as to all other class
10 members in the settlement who worked for Defendant during the class period. I believe the
11 claims asserted in the Complaint is also shared by the other Class Members. I worked with
12 various other non-exempt employees and I believe we were all treated the same and subject to
13 the same unlawful policies.

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

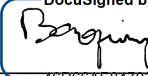
21 9. As one of the Class Representatives, I have spent numerous hours consulting
22 with my attorneys, providing documentation, consulting with other Class Members, responding
23 to questions by my attorneys, providing documents to my attorneys, working with my attorneys
24 to review documents received, helping my attorneys in preparing for the mediation and
25 attending the mediation via telephone. I was consulted about the status of the case and provided
26 constant feedback about the case from my attorneys including the mediation, settlement
27 negotiations and eventual settlement. I estimate I have spent approximately 45 hours working
28 on this case.

10. From the beginning of this case, I have freely chosen to accept the risks of

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2 being one of the Class Representatives in this class action lawsuit. I chose to assume these risks
3 and pursue the claims on behalf of the Class Members as I wanted to vindicate their rights. I
4 believe we have achieved that result with the settlement and the individual payments to the
5 Class Members. I believe the settlement is fair reasonable and adequate based on the numerous
6 defenses asserted by Defendants. I believe the efforts and work I put forth helped to achieve the
7 fair settlement that will benefit the Class Members. As a result of my efforts, I also believe the
8 Class Representative Enhancement Award is reasonable, and I respectfully request the Court
9 approve the amount of \$7,500.00 as fair and reasonable.

10 I declare under penalty of perjury under the laws of the state of California
11 that the foregoing is true and correct. Executed on December 7, 2022, at Oakland,
12 California

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EDMUNDO BAQUIRING