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Attorneys for Plaintiffs Ronnie Garcia, Peter Sumo, and
Thomas Tomlinson and Proposed Class Counsel

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

RONNIE GARCIA, PETER SUMO,
THOMAS TOMLINSON, on behalf of
themselves and on behalf of all similarly
situated individuals,

Plaintiffs,

v.

SST CONSTRUCTION, LLC, a California
limited liability company, and DOES 1
through 10, inclusive,

Defendants.

CASE NO: 34-2022-00320617

Assigned to Hon. Jill H. Talley, Dept. 27

CLASS ACTION

**DECLARATION OF PETER SUMO IN
SUPPORT OF UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: September 29, 2023

Time: 9:00 a.m.

Dept.: 27

Complaint Filed: July 2, 2021

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I, PETER SUMO, hereby declare and state as follows:

1. I am a named Plaintiff in this lawsuit against Defendant SST Construction, LLC (“Defendant”) and I submit this declaration in support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement. I am a competent adult and worked for Defendant as a non-exempt employee in Sacramento County during the relevant time period. I have personal knowledge of the facts set forth herein, and if called as a witness to testify to them, I could and would do so competently.

2. I contacted my current attorneys when I questioned the employment practices of Defendant prior to commencing this lawsuit. I accepted the opportunity to act as a Class Representative in a class action on behalf of other employees of Defendant whom I believed were being subjected to labor law violations. Although presented with the opportunity, I did not pursue this case on an individual basis and instead did so as a class action so that I could help other employees recover for what I believed were Defendant’s illegal practices.

3. Specifically, I questioned Defendant’s policies of failing to pay all wages; failing to provide all meal and rest periods; failing to timely compensate employees upon separation; failing to reimburse expenses; and issuing its employees deficient wage statements. Through many discussions with my lawyers, I learned these may be illegal practices and Defendant’s employees might have recourse for them.

4. By bringing this lawsuit, and throughout its course, I have put the interests of the class ahead of my own. I understood that I could possibly earn a small enhancement payment if this case resolved itself favorably, but always knew that I could also be responsible for paying Defendant’s attorneys’ fees and costs if it did not. My goal in bringing this lawsuit was to obtain a recovery on behalf of the class, and even more importantly, to put an end to what I believed were illegal practices on the part of Defendant. I believe I have achieved both through this lawsuit and settlement.

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1 5. I am very happy about the results of this litigation. I am satisfied that Defendant is
2 compensating class members for unpaid wages, expenses, missed meal and rest periods, penalties,
3 and interest that I believe we are due.

4 6. At the onset of this case, I spent time through numerous phone calls with several of
5 my attorneys explaining what I understood to be the policies and procedures of Defendant and
6 how they were applied to me and others I worked with. During the course of this litigation, up
7 through and following the settlement process, I kept actively involved with its status, tracking the
8 status of the case and participating as much as possible.

9 7. While I have not maintained detailed time records of my activities in connection
10 with this litigation, I believe that have spent a total of approximately 20 hours assisting my
11 attorneys with the preparation of this case, and doing work and analysis independent from my
12 attorneys both before and during this case, including conducting an independent investigation of
13 the facts and attending a full-day mediation.

14 8. Before this litigation commenced, and throughout its course, I have spent
15 approximately 10 or more hours gathering, organizing, and reviewing documents and information
16 for this lawsuit. I sifted through many of my own documents and reviewed information produced
17 by Defendant as part of this case.

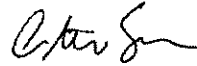
18 9. I have communicated with my attorneys several times per month to track my case's
19 status. I have taken an active involvement in this matter throughout its course.

20 10. This lawsuit will almost certainly result in reputational harm to me. There is a
21 stigma associated with suing anyone, let alone your former employer. I will probably be adversely
22 affected when it comes to obtaining future employment – employers who learn that I sued
23 Defendant in a class action will likely avoid hiring me.

24 11. I do not believe that I have any conflicts with other members of the class. My
25 interests in bringing this lawsuit – for Defendant to change its labor practices going forward and
26 to compensate current and former employees – are the same as those of all other class members.
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1 I declare, under penalty of perjury, under the laws of the State of California that the
2 foregoing is true and correct.

3 Executed on August 8, 2023 at Stockton, California.

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6 PETER SUMO
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