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Attorneys for Plaintiff and the Proposed Class

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

VICKI FLORES, an individual, on behalf of
herself and others similarly situated,

PLAINTIFF,

v.

HERITAGE BAG COMPANY; and DOES 1
thru 50, inclusive,

DEFENDANTS.

CASE NO. CIVDS2023373

[Case Assigned for All Purposes to Hon. David
Cohn in Dept. S-26]

**DECLARATION OF VICKI FLORES IN
SUPPORT OF FINAL APPROVAL OF
CLASS SETTLEMENT**

Date: August 2, 2022

Time: 10:00 a.m.

Dept.: S-26

Complaint Filed: October 20, 2020

Trial Date: None Set =

DECLARATION OF VICKI FLORES

I, Vicki Flores, state and declare as follows:

1. I am a competent adult, over the age of eighteen, and the named Plaintiff in the above-captioned matter. The following is based upon my personal knowledge, and if called as a witness, I could and would testify competently thereto.

2. I am a former employee of Defendant Heritage Bag Company (“Heritage Bag” or “Defendant”). During my employment with Heritage Bag, I performed work as an hourly worker with the title of “inspector” and/or “packer.” I was hired on or around September 2018 and ended my employment with Heritage Bag on or around July 2020. As an inspector/packer, I packaged and inspected trash bags, lawn bags, and waste basket bags at Heritage Bag’s warehouse in Rancho Cucamonga, earning between \$13.50-14.50 per hour.

3. I brought this Action on behalf of myself and other employees. I understand that I am representing other employees and I believe that I am able to represent them well.

4. I have performed a lot of work to make this case successful. I first researched attorneys who are experienced with these types of actions. Once retained, I compiled relevant documents from my employment to assist my attorneys in litigating this case. I worked with my attorneys to develop the facts and legal claims in this action and helped them prepare the lawsuit for filing in San Bernardino County in 2020.

5. Throughout the litigation, I have provided my attorneys with helpful information for this lawsuit and for the settlement as needed. Additional work in connection with this matter includes staying in regular contact with my attorneys to discuss the status of the case, responding promptly to my attorneys’ various communications regarding this matter, communicating with my attorneys during the full day mediation, and reviewing and analyzing the Settlement Agreement and settlement papers to ensure the Settlement was fair and reasonable and in the best interests of the class members.

6. I estimate the total time spent in connection with this matter is approximately 30 hours.

7. I have worked to actively represent the other Settlement Class Members and their

1 interests.

2 8. I believe that I have always kept the interests of all class members at heart in this
3 litigation.

4 9. I am prepared to continue assisting with this litigation and am committed to
5 achieving the best possible results for the class members.

6 10. I believe that the class action settlement is fair and reasonable in light of the issues
7 involved in this case. As mentioned above, I reviewed and discussed the Settlement with my
8 attorneys and asked them questions about it to ensure that I understood its terms and what it would
9 mean for all of the Settlement Class Members.

10 11. I believe that I have fairly represented the absent Settlement Class Members and
11 request that the Court finally approve this settlement and confirm me as named Plaintiff.

12 12. I am not aware of any conflicts of interest that prevent me from being confirmed
13 as named Plaintiff in this Action. I am not related in any way to my attorneys or to any other
14 member of the firm that is representing me. I have no business dealings or other involvement
15 beyond this Action and this representation. I have not been promised any money or inducement
16 to serve as named Plaintiff in this Action.

17 13. It is my opinion that the Settlement provides for a fair and adequate enhancement
18 for me as a named Plaintiff, in the amount of \$5,000.00. I believe that this is fair and reasonable
19 in light of all of the work that I have performed in my role as named Plaintiff. As named Plaintiff,
20 I initiated this action and have actively participated in all stages, and have always maintained the
21 best interests of the Settlement Class Members while performing my duties as the named class
22 representative.

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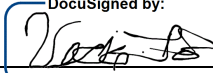
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1 14. It is also my opinion that the Incentive Award payment is fair, reasonable, and
2 adequate because, in addition to the many hours spent participating in the prosecution of this case,
3 I accepted the potential risk of being liable for Defendant's costs if we were unsuccessful in this
4 Action. Likewise, I risk the potential stigma of being a named Plaintiff in a class action labor
5 dispute, which may affect my future employability. Despite these potential risks, I felt it was
6 important to proceed with this litigation on behalf of myself and others.

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

9 Executed this 28th day of June, 2022 at Chino,
10 California. (City)

11 
12 DocuSigned by:
13 50609011F3048D
14 VICKI FLORES

(PROOF OF SERVICE)

[CCP 1013(a)(3)]

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On July 7, 2022, I served all interested parties in this action the following documents described as: **DECLARATION OF VICKI FLORES IN SUPPORT OF FINAL APPROVAL OF CLASS SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Lonnie D. Giamela
Anet Drapalski
lgiamela@fisherphillips.com
adrapalski@fisherphillips.com
FISHER & PHILLIPS LLP
444 South Flower Street, Suite 1500
Los Angeles, California 90071

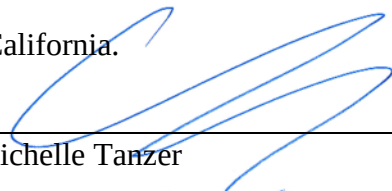
☐ **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY ELECTRONIC SERVICE:** I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

☒ **BY ELECTRONIC MAIL TRANSMISSION:** I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the below email address(es).

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 7, 2022, at Woodland Hills, California.



Michelle Tanzer