

KINGSLEY & KINGSLEY, APC
ERIC B. KINGSLEY, Esq., Cal. Bar No. 185123
eric@kingsleykingsley.com
KELSEY M. SZAMET, Esq., Cal. Bar No. 260264
kelsey@kingsleykingsley.com
16133 Ventura Blvd., Suite 1200
Encino, CA 91436
Telephone: (818) 990-8300
Fax: (818) 990-2903

Attorneys for Plaintiff and all aggrieved employees

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

RITCHIE ROBINSON, an individual, on
behalf of the State of California, as a private
attorney general,

PLAINTIFF,

v.

S T MOLL, INC. DBA INTEGRITY TIRE; a
corporation; BIG BRAND TIRE COMPANY,
INC., a corporation; CHRIS MOLL, an
individual; TINA MOLL, an individual; and
DOES 1 thru 50, inclusive,

DEFENDANTS.

CASE NO. CIVSB2129140

[Case Assigned for All Purposes to Hon. Joseph
T. Ortiz in Dept. S17]

**DECLARATION OF RITCHIE
ROBINSON IN SUPPORT OF MOTION
FOR APPROVAL OF REPRESENTATIVE
ACTION SETTLEMENT**

Date: January 4, 2023

Time: XX

Dept.: S17

Complaint Filed: October 12, 2021

Trial Date: None Set

DECLARATION OF RITCHIE ROBINSON

I, Ritchie Robinson, 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 Defendants S T MOLL, INC. DBA INTEGRITY TIRE; a corporation; BIG BRAND TIRE COMPANY, INC., a corporation; CHRIS MOLL, an individual; TINA MOLL, an individual ("Defendants"). I performed work for Defendants as an automotive technician earning \$14.00 per hour in addition to commission.

3. I brought this lawsuit, on behalf of myself and all other PAGA Members, against Defendants because I believe that Defendants failed provide all wages and/or overtime, lawful meal and rest breaks, failed to reimburse business related expenses, failed to pay all wages due at the time of termination to me and other aggrieved employees, among other violations.

4. I understand that I am representing other employees and I believe that I am able to represent them well.

5. I first researched attorneys who are very experienced with these types of lawsuits. 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 Lawsuit. The representative action lawsuit was filed on October 21, 2021.

6. 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, being available for and responsive to counsel during the full-day mediation on June 2, 2022, and reviewing and analyzing the Motion for Approval of Representative Action Settlement and settlement papers to ensure the Settlement was fair and reasonable and in the best interests of the PAGA Members.

7. I estimate the total time spent in connection with this matter is approximately 30-40 hours.

1 8. I have worked to actively represent the other PAGA Members and their interests.

2 9. I believe that I have always kept the interests of all PAGA Members at heart in this
3 litigation.

4 10. I am prepared to continue assisting with this litigation and am committed to
5 achieving the best possible results for the PAGA Members.

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

10 12. I believe that I have fairly represented the absent PAGA Members and request that
11 the Court finally approve this settlement and confirm me as PAGA Representative.

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

17 14. It is my opinion that the settlement agreement provides for a fair and adequate
18 enhancement for me as a PAGA Representative, in the amount of \$5,000.00. I believe that this is
19 fair and reasonable in light of all of the work that I have performed in my role as PAGA
20 Representative. As PAGA Representative, I have actively participated in all stages of the
21 litigation, as detailed above, and have always maintained the best interests of the PAGA Members
22 while performing my PAGA Representative duties.

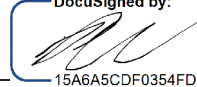
23 15. It is also my opinion that the PAGA Representative Service Payment is fair,
24 reasonable, and adequate because, in addition to the many hours spent participating in the
25 prosecution of this case, I accepted the potential risk of being liable for Defendants' attorneys'
26 fees and costs if we were unsuccessful in this Lawsuit. Likewise, I risk the potential stigma of
27 being a PAGA Representative in a representative action labor dispute, which may affect my future
28 employability. Despite these potential risks, I felt it was important to proceed with this litigation

on behalf of myself and others in the capacity of PAGA Representative.

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

Executed this 12th day of December, 2022 at Redlands, California.
(City)

DocuSigned by:



15A6A5CDF0354FD...

Ritchie Robinson

(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 December 13, 2022, I served all interested parties in this action the following documents described as: **DECLARATION OF RITCHIE ROBINSON IN SUPPORT OF MOTION FOR APPROVAL OF REPRESENTATIVE ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Terence Greene
Ross Poole
rpools@delmoregreene.com
DELMORE GREENE
One America Plaza
600 West Broadway, Suite 400
San Diego, CA 92101

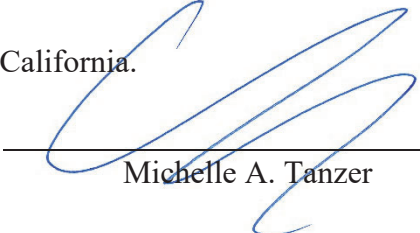
☐ **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware 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 December 13, 2022, at Encino, California.



Michelle A. Tanzer