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

JOSHUA TAYLOR AND FRANK
LOMONACO, individually, and on behalf of all
others similarly situated,

Plaintiffs,

v.

U.S. DAIRY SYSTEMS, INC. DBA
AUTOMATED DAIRY SYSTEMS, a
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No. VCU286113

CLASS & REPRESENTATIVE ACTION

*[Assigned for all purposes to: Hon. Nathan D.
Ide, Dept. 2]*

**DECLARATION OF PLAINTIFF
JOSHUA TAYLOR IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

FINAL APPROVAL HEARING

Date: March 20, 2023

Time: 8:30 a.m.

Dept: 2

DECLARATION OF PLAINTIFF JOSHUA TAYLOR

I, Joshua Taylor, declare as follows:

1. I am an adult resident of the State of California, and, if called as a witness in this action, I would testify truthfully to the matters described in this declaration. All of the matters described in this declaration are within my personal knowledge, except those matters that are stated to be upon information and belief. As to such matters, I believe them to be true.

2. I make this declaration entirely of my own free will and choice. I have not been promised any benefit for doing so, and I have not been pressured into giving this declaration. Before signing this declaration, I was given the opportunity to review it, make changes, and verify the accuracy of its contents.

3. I am a named Plaintiff in this action and submit this declaration in support of Plaintiffs' Motion for Final Approval of Class Action Settlement.

4. I worked for Defendant U.S. Dairy Systems, Inc. dba Automated Dairy Systems ("ADS") in Tulare, California as a service technician. At all times during my employment, ADS paid me an hourly wage and classified me as eligible for overtime pay. At the end of my employment, I was earning \$25.00 per hour.

5. I initiated this lawsuit because I was concerned that I was not paid properly for all the hours that I worked, and I was not provided all of my meal and rest breaks.

6. By originating this lawsuit as a class representative, I hoped that I might be able to change ADS's policies to better protect the working conditions of my co-workers. I also understood that it was my duty as a class representative to represent the best interests of the class, know about the lawsuit, assist my attorneys, and keep updated on the case.

7. I have invested a lot of personal time and energy into this lawsuit. As detailed more fully below, I have spent approximately 45 hours on this case. I made it a priority to be actively involved because I wanted to do everything I can to assist my attorneys in prosecuting this case.

8. Throughout this case, I spent a lot of time on the phone with my attorneys to get updates about the case and provide them with information. Since first contacting my attorneys to initiate this case, I have had approximately 25 phone calls with my attorneys and their staff. Some

1 of these phone calls lasted approximately 45 to 60 minutes. For example, during some of my phone
2 calls, my attorneys and I were able to identify instances when I was not paid correctly.
3 Additionally, leading up to the mediation on October 20, 2021, I had multiple lengthy phone calls
4 with my attorneys regarding the claims at issue and what was to transpire at the mediation. I also
5 sent my attorneys and their staff numerous text messages during this case to get status updates.
6 Because I regularly kept in contact with my attorneys, I estimate that I spent at least 22 hours
7 communicating with my attorneys via phone calls and text messages.

8 9. Throughout the case, I also spent time looking for documents relevant to the case to
9 send to my attorneys. I spent approximately 5 hours looking for these documents, including when
10 I first contacted my attorneys, before my attorneys filed the case, and before my case was mediated.

11 10. I also spent time reviewing legal documents in this case, including the retainer,
12 memorandum of understanding, and settlement agreement. I spent at least 9 hours reviewing legal
13 documents related to this case. I also discussed in detail the terms of the settlement with my
14 attorneys. For example, I estimate that I spent approximately 4 hours discussing the settlement
15 agreement with my attorneys and asking questions related to the settlement approval process.

16 11. During the course and in preparation of this lawsuit, I spent at least 5 hours talking
17 to other ADS employees about their experiences with the company, which I then relayed to my
18 attorneys. I knew it was important to give my attorneys as much information as possible to help
19 them prosecute this case.

20 12. Additionally, I made myself fully available on the day of mediation and was in
21 continuous contact with my attorneys to assist with any questions or issues that may have arisen.

22 13. I believe the settlement is a good settlement and I would recommend that the Court
23 approve it because I believe that this settlement is fair, adequate, and reasonable. I am glad that I
24 had the opportunity to represent the class in this lawsuit and that I was able to recover money
25 through a settlement for the class.

26 14. I did not make the decision to file a class action lightly. I was concerned by the
27 attention a publicly filed lawsuit, and especially a class action, would attract. My name would be
28 associated with a lawsuit that I filed against my former employer, and I was aware that it could be

possible to perform background checks of publicly-filed documents on the internet, sometimes with nothing more than a simple Google search. I am mindful that prospective employers might find out that I sued ADS, and this could hurt my employability. Nevertheless, I felt that important rights were at stake that hurt everyone, and something ought to be done about it.

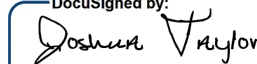
15. I also understand that there was financial risk in bringing this lawsuit. For example, I knew that if I did not prevail in this lawsuit that I could potentially be responsible for ADS's attorneys' costs and fees.

16. Standing up for myself and the rights of others was not an easy decision, and I am relieved that this is coming to an end. However, I continue to fear that any potential future employer may find out that I participated in this lawsuit and hold it against me. In a competitive job market, this factor may weigh heavily against me.

17. I respectfully request that the Court award me a \$5,000 service payment. I am receiving no additional compensation other than the compensation provided for in the settlement. Based on my involvement in this case and the benefits provided to my former co-workers, I can say I helped stand up for the other workers who may have been too afraid to speak up because they did not want to risk losing their jobs or risk the stigma of suing an employer. I was not afraid to take that risk because I strongly care about helping out my current and former co-workers.

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

Executed on 2/22/2023, at Tulare, California.

DocuSigned by:

6586F6F420884A4
Joshua Taylor

Taylor, et al. v. U.S. Dairy Systems, Inc. dba Automated Dairy Systems, et al.
VCU286113

I, Ashley Narinyans, state that I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within action; my business address is 3055 Wilshire Blvd., 12th Floor, Los Angeles, California 90010. My electronic service address is anarinyans@wilshirelawfirm.com.

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- (X) **BY UPLOAD:** I hereby certify that the documents were uploaded by my office to the State of California Labor and Workforce Development Agency Online Filing Site.
- (X) **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known email address or e-mail of record in this action.

Executed on **February 24, 2023**, at Los Angeles, California.


Signature