

David Mara, Esq., (SBN 230498)
Matthew Crawford, Esq., (SBN 310230)
MARA LAW FIRM, PC
2650 Camino Del Rio North,
Suite 302
San Diego, CA 92108
Telephone: 619.234.2833
Facsimile: 619.234.4048

Attorneys for Plaintiff RICHARD DUARTE,
on behalf of himself, all others similarly
situated, and on behalf of the general public

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BERNARDINO

RICHARD DUARTE, on behalf of himself,
all others similarly situated, and on behalf
of the general public,

Plaintiff,

v.

PTG LOGISTICS, LLC.; and DOES 1
through 100,

Defendants.

Case No.: CIVSB2126799

[Consolidated with Case No. CIVSB2131398]

**DECLARATION OF PLAINTIFF
RICHARD DUARTE IN SUPPORT OF
SETTLEMENT APPROVAL**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I, RICHARD DUARTE, hereby declare under penalty of perjury as follows:

1. I have personal knowledge of all matters stated herein, and if called as a witness, I could and would competently testify thereto, except as to those matters stated upon information and belief, and as to those matters, I believe them to be true.
2. I am a named Plaintiff and Class Representative in the above-captioned lawsuit, and I submit this declaration in support of settlement approval.
3. I worked for PTG Logistics, LLC ("PTG") as an hourly driver employee in Moreno Valley, Rancho Dominguez, and throughout California during the Class Period.
4. Since becoming a class representative, I diligently worked on this case. I always answered phone calls from my attorneys or called them back promptly when they called. I also promptly responded to emails sent by my attorneys. On many occasions, I spoke with my attorneys for case related purposes. At the beginning of the case, I searched for and provided my attorneys with documents I received from PTG, such as pay stubs and other records of my time worked. I assisted my attorneys in investigating the case and helped craft discovery that was sent out to PTG. I worked diligently with my attorneys to respond to the discovery PTG sent to me and to help progress the case.
5. I was aware that, at some point in this case, I would have my deposition taken. I knew that the deposition could take a full day and that I may have to meet with my attorneys prior to my deposition. I was at all times ready and willing to sit for my deposition.
6. Although I did not attend the mediation in person, I was available on the phone for all the negotiations, which I was kept apprised of and assisted in. I was also apprised of the settlement discussions that occurred after the mediation. I gave my consent to settle with PTG for the gross settlement amount of \$400,000. I completely and carefully reviewed the memorandum of understanding and the settlement agreement.
7. In light of the work I performed in this case and the duties associated with being a class representative in a case of this magnitude, I believe the \$10,000 service payment award is

1 reasonable. I understand that this additional service award is not guaranteed and is subject
2 to Court approval.

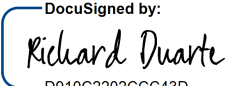
3 8. I have and will continue to adequately represent all of the interests of the class. With my
4 status as class representative, I will treat the interests of the Class above my interests.

5 9. My claims are typical of the Class Members because I am similarly situated to all hourly
6 driver employees who worked in California at any time during the period of September 10,
7 2017, through the present. Thus, my interests are the same as all members of the proposed
8 Class.

9 10. I recognize that any resolution of this matter must be approved by the Court in terms of
10 whether the settlement is fair and reasonable, and that I am obligated to protect the
11 interests of all of class members for the Class Period.

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

14 Dated: 7/5/2023

By: 
D910C2202CCC43D...
RICHARD DUARTE