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Attorneys for Plaintiff and the proposed class

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

ROBERT DELL, an individual, on behalf of
himself and others similarly situated

PLAINTIFF,

v.

NRC ENVIRONMENTAL SERVICES, INC.;
and DOES 1 thru 50, inclusive,

DEFENDANTS.

CASE NO. RG21114398

[Case Assigned for All Purposes to Hon. Evelio
Grillo in Dept. 21]

**DECLARATION OF ROBERT DELL IN
SUPPORT OF FINAL APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: October 6, 2023

Time: 9:00 AM

Dept.: 21

Reservation Number: 634546545128

Complaint Filed: September 30, 2021

Trial Date: None Set

DECLARATION OF ROBERT DELL

I, Robert Dell, 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 NRC Environmental Services, Inc. (“NRC” or “Defendant”) as an hourly employee.

3. I brought this lawsuit, on behalf of myself and all other Class Members, against Defendant because I believe that NRC did not pay all wages/overtime, provide proper meal and rest breaks, provide accurate itemized wage statements, and pay all wages due at the time or termination/resignation to me and other employees.

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

5. I first researched experienced 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 lawsuit was filed in September 2021.

6. Throughout the litigation, I have provided my attorneys with helpful information for this lawsuit and for the Settlement as needed. Additional specific work I performed in connection with this matter includes providing documents to my attorneys regarding my employment with Defendant, staying in regular contact with my attorneys to discuss the status of the case, responding promptly to my attorneys’ various communications regarding this matter, making myself available for a full-day Zoom mediation on July 26, 2022, 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, and staying abreast of the progress of the settlement process.

7. I estimate the total time spent in connection with this matter is approximately 25-

1 35 hours.

2 8. I believe that I have worked to actively represent the other Class Members and I
3 have always kept the Class Members interests at heart in this 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.

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

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

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

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

24 14. It is also my opinion that the Class Representative enhancement is fair, reasonable,
25 and adequate because, in addition to the many hours spent participating in the prosecution of this
26 case, I accepted the potential risk of being liable for Defendant's attorneys' fees and costs if we
27 were unsuccessful in this Lawsuit. Likewise, I risk the potential stigma of being a Class
28

1 Representative in a class action labor dispute, which may affect my future employability.

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

4 Executed this _____ day of September, 2023 at _____,
5 California.

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7 _____
8 Robert Dell
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(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 September 13, 2023, I served all interested parties in this action the following documents described as: **DECLARATION OF ROBERT DELL IN SUPPORT OF FINAL APPROVAL OF CLASS SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

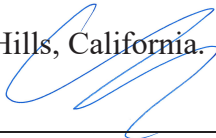
Jason Geller, Esq.
Nathan Low, Esq.
Abby Harrington, Esq.
jgeller@fisherphillips.com
nlow@fisherphillips.com
aharrington@fisherphillips.com
lhamann@fisherphillips.com
nlarios@fisherphillips.com
FISHER & PHILLIPS LLP
1 Montgomery Street, Suite 3400
San Francisco, CA 94104

[XX] (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.

[XX] 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).

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

Executed on September 13, 2023, at Woodland Hills, California.



Michelle Tanzer