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

DEWEY ANDERSON, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

GRAHAM PACKAGING PET
TECHNOLOGIES, INC., a Delaware
corporation; and DOES 1 through 50,
inclusive,

Defendant.

Case No.: CV-21-005550

(Assigned to the Hon. Sonny S. Sandhu, Dept. 24)

**DECLARATION OF DEWEY ANDERSON IN
SUPPORT OF PLAINTIFF'S MOTION FOR
FINAL APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: August 15, 2023

Time: 8:30 a.m.

Dept.: 24

Complaint Filed: October 8, 2021
FAC Filed: February 8, 2022
Trial Date: Not Set

DECLARATION OF DEWEY ANDERSON

I, Dewey Anderson, declare as follows:

1. I am an individual over the age of 18 years old and am a resident of California. I am the named Plaintiff in this matter. I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently.

2. I was employed by Defendant Graham Packaging Pet Technologies, Inc. ("Defendant") as a forklift driver from about November 2020, until about July 19, 2021. I worked a non-exempt, hourly employee throughout my employment.

3. During my employment with Defendant, I did not receive all overtime wages and sick pay owed. I also did not receive accurate itemized wage statements.

4. I regularly earned non-discretionary incentive wages such as wellness pay and referral bonuses. However, these non-discretionary incentive wages were not calculated into the regular rate of pay during periods when I earned overtime wages or received sick pay. The overtime wages and sick pay were paid based on a lower base rate of pay, instead of the correct higher regular rate of pay. As such, I am owed additional wages.

5. As a result of the underpayment of overtime wages and sick pay, the wage statements I received displayed inaccurate rates of pay and gross and net wages earned. In addition, whenever I was paid shift premium wages, the wage statements I received did not identify the applicable rates of pay and number of hours worked for such wages.

6. Prior to and subsequent to the filing of this lawsuit, I met with my attorneys to discuss the status of the case, provide information and documents to my attorneys, and assist my attorneys in gathering evidence to support the class claims. I consulted with my counsel regarding settlement negotiations and approved the settlement. I also reviewed numerous documents related to the case, including the Complaint, the settlement agreement, and my declarations in support of approval.

7. Thus, I have been actively involved in this litigation. I would estimate in total I have spent 35 hours assisting in the prosecution of this matter.

8. I understand that this action was brought on behalf of other similarly situated

employees of Defendant in the State of California, and thus I am acting as a representative for the Class. As the class representative, I understand that it is my responsibility to act in the Class's best interest and not my own. I agree that I will not put my own interests ahead of that of the Class. Moreover, I am not aware of any conflicts that exist between my interest and the interests of the Class that would impair or affect my ability to serve as representative for the Class.

9. I have and continue to be willing to assist in the investigation of this matter as well as make myself available for trial or any further proceeding in this matter as required to represent the interests of the Class. I also understand my duties and responsibilities to the proposed class and will carry out those duties as necessary.

10. I have discussed the terms of the settlement with my attorneys, and based on the information provided, I believe the settlement to be fair, adequate, and reasonable for myself and for the entire Class.

11. I am aware and have been aware from the inception of the case, that there is the risk that if I do not win my case, then I could be liable for Defendant's litigation fees and costs. I also understand that filing a case on my own behalf could have involved fewer costs and resolved faster than filing a class action. I accepted that risk in this case. Further, I believed and continue to believe that there is risk to me because I remain a current employee of Defendant. My understanding is that typically class action cases are brought by former employees of a company who cannot be retaliated against. However, to be clear, as of the signing of this declaration I am not aware of any retaliatory actions taken against me by Defendant.

12. I also understood that filing this lawsuit is a public record and I accepted that burden. As such, I risked my future employment in order to bring this action. Moreover, this lawsuit, which is a public record, is something that potential employers can look into, and which may negatively impact my future employment prospects.

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

DocuSigned by:

 Devinder Anderson