

Larry W. Lee (State Bar No. 228175)
 Kristen M. Agnew (State Bar No. 247656)
 Nicholas Rosenthal (State Bar No. 268297)
DIVERSITY LAW GROUP, P.C.
 515 S. Figueroa Street, Suite 1250
 Los Angeles, CA 90071
 (213) 488-6555
 (213) 488-6554 facsimile

William L. Marder (State Bar No. 170131)
Polaris Law Group
 501 San Benito Street, Suite 200
 Hollister, CA 95023
 (831) 531-4214
 (831) 634-0333 facsimile

Attorneys for Plaintiff and the Class

**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 DEWY ANDERSON IN
 SUPPORT OF PLAINTIFF'S MOTION PAGA
 APPROVAL**

Date: March 29, 2023

Time: 8:30 a.m.

Dept.: 24

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

DECLARATION OF DEWY ANDERSON

I, Dewy 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. I understand that this action was brought on behalf of the State of California and the Aggrieved Employees.

7. I have and continue to be willing to assist in the investigation of this matter, including meeting, conferring, discussing the case with my attorneys, providing any necessary information and documents, making myself available for trial or any further proceedings 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.

8. I have met and conferred with my attorneys on a number of occasions to discuss the case, provided information and documents to my attorneys, and reviewed the Settlement

1 Agreement.

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

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

7 Executed on this 3rd day of March 2023, at Turlock, California.

8 DocuSigned by:
9 
10 _____
11 Dewy Anderson
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28