

JAMES HAWKINS APLC

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Attorneys for Plaintiff WILLIAM MATNEY-TATE,
individually and on behalf of all others similarly situated

**UNITED STATES DISTRICT OF CALIFORNIA
NORTHERN DISTRICT OF CALIFORNIA**

KASPER LEUZINGER, MICHAEL
ALLEN JENSEN, WILLIAM
MATNEY-TATE, and RICARDO
AMEZCUA on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

GARDNER TRUCKING, INC., a
California corporation; GARDNER
TRUCKING CONVERSION, LLC, a
California Limited Liability Company;
CRST EXPEDITED, INC., an Iowa
Corporation; CRST THE
TRANSPORTATION SOLUTION,
INC., an entity of unknown formation;
and DOES 1 through 50, inclusive,

Defendants.

Case No.: 4:21-cv-04952-YGR

Consolidated with:

4:21-cv-07474-YGR

4:21-cv-07741-YGR

4:22-cv-06501-YGR

**DECLARATION OF WILLIAM
MATNEY-TATE IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

DECLARATION OF WILLIAM MATNEY-TATE

I, WILLIAM MATNEY-TATE hereby declare as follows:

1. I am over the age of eighteen and I submit this Declaration in support of the motion for preliminary approval of the settlement and fees, costs and service award. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendants CRST Expedited, Inc., d/b/a/ CRST The Transportation Solution, Inc., including Gardner Trucking, Inc., Gardner Trucking Conversion, LLC, and CRST Expedited, Inc. ("Defendants") in approximately January 2021 as a Non-Exempt Employee working as a driver, and worked during the liability period for Defendants until my separation from their employ in approximately June 2021. My duties included, but were not limited to, reporting to dispatch, preparing paperwork, inspecting trucks, locating trailers, inspecting trailers, hooking up trailers, driving to locations, and unloading trailers.

3. As a non-exempt employee, I suffered the same damages as other employees. These included Defendants' failure to pay minimum and overtime wages, failure to pay all wages earned and owed upon separation from Defendants' employ, failure to provide accurate itemized wage statements, failure to provide meal and rest periods, failure to reimburse necessary business expenses, and violations under the UCL all in accordance with California law. As a result of these alleged violations, I sought consultation with my attorneys at James Hawkins, APLC.

4. Based upon my allegations, and after consultation and full disclosure from my attorneys about the potential risks I faced as a Plaintiff in a putative class action, I freely decided to pursue this lawsuit to try and vindicate my rights and the rights of others who also worked for Defendants and suffered similar harms due to Defendants' common practices and policies.

5. Prior to filing my action, my attorneys and I had multiple conferences

1 about the factual bases for the claims that I wanted to pursue against Defendants.
2 During those conferences, my attorneys provided me with an overview of how
3 those claims would be litigated and generally educated me about the nature of
4 complex/representative litigation and my role as the representative Plaintiff.
5

6 6. My attorneys provided me with a draft of the complaint for my
7 review and approval. I closely reviewed the complaint to ensure accuracy and
8 completeness. As a result, I caused my attorneys to file the class action complaint
9 alleging claims for the allegations alleged therein. Thereafter, I have been fully
10 involved in my case. Following the filing of the complaint, I collaborated with
11 my attorneys on the prosecution of my claims, and I regularly contacted my
12 attorneys to stay current on the status of the litigation, and to discuss my
13 attorneys' progress in prosecuting the claims.

14 7. Since I believe I was not paid overtime and minimum wages, not paid
15 all wages earned and owed upon separation from Defendants' employ, not
16 provided accurate itemized wage statements, not provided meal and rest periods,
17 not reimbursed necessary business expenses, as well as violations under the
18 UCL all in accordance with California law and that I have been similarly injured
19 as to all other class members in the settlement who worked for Defendants during
20 the class period. I believe the claims asserted in the Complaint are also shared
21 by the other Class Members. I worked with various other non-exempt employees
22 and I believe we were all treated the same and subject to the same unlawful
23 policies.

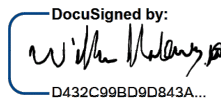
24 8. Since I agreed to become a Class Representative, I have worked
25 every step of the way with my attorneys. During the course of the litigation, I
26 have always kept the best interest of the Class Members on equal footing as mine.
27 I have been, and I am willing to continue to pursue the Class Members' claims
28 vigorously on our collective behalf if the Settlement is not finally approved. As a
result, I firmly believe that I do not have any interests adverse to the interests of

1 the Class Members. I have maintained the Class Members best interest from the
2 inception of the case.
3

4 9. As one of the Class Representatives, I have spent numerous hours
5 consulting with my attorneys, providing documentation, consulting with other
6 Class Members, responding to questions by my attorneys, providing documents to
7 my attorneys, working with my attorneys to review documents received, helping
8 my attorneys in preparing for the mediation and attending the mediation via
9 telephone. I was consulted about the status of the case and provided constant
10 feedback about the case from my attorneys including the mediation, settlement
11 negotiations and eventual settlement. I estimate I have spent approximately 45
12 hours working on this case.

13 10. From the beginning of this case, I have freely chosen to accept the
14 risks of being one of the Class Representatives in this class action lawsuit. I chose
15 to assume these risks and pursue the claims on behalf of the Class Members as I
16 wanted to vindicate their rights. I believe we have achieved that result with the
17 settlement and the individual payments to the Class Members. I believe the
18 settlement is fair, reasonable, and adequate based on the numerous defenses
19 asserted by Defendants. I believe the efforts and work I put forth helped to
20 achieve the fair settlement that will benefit the Class Members. As a result of my
21 efforts, I also believe the Service Award is reasonable, and I respectfully request
22 the Court approve the amount of \$10,000.00 as fair and reasonable.

23 I declare under penalty of perjury under the laws of the state of
24 California that the foregoing is true and correct. Executed on April 8,
25 2024, at Stockton, California.

26 DocuSigned by:

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27 **WILLIAM MATNEY-TATE**
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