

Galen T. Shimoda (Cal. State Bar No. 226752)  
Justin P. Rodriguez (Cal. State Bar No. 278275)  
**Shimoda & Rodriguez Law, PC**  
9401 East Stockton Boulevard, Suite 120  
Elk Grove, CA 95624  
Telephone: (916) 525-0716  
Facsimile: (916) 760-3733

Attorneys for Plaintiff BARBARA LEAR  
individually and on behalf of similarly situated employees

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

BARBARA LEAR, individually and on behalf  
of all other similarly situated employees,

Plaintiff,

vs.

RAXIUM, INC., a Delaware Corporation; and  
DOES 1 to 100, inclusive,

Defendants.

**Case No. 21CV004358**

ASSIGNED FOR ALL PURPOSES TO:  
JUDGE EVELIO GRILLO  
DEPARTMENT 21

**DECLARATION OF PLAINTIFF BARBARA  
LEAR IN SUPPORT OF PLAINTIFF'S  
MOTION TO APPROVE PRIVATE  
ATTORNEYS GENERAL ACT  
SETTLEMENT**

Reservation No. 420139153988

Date: August 17, 2022  
Time: 10:00 a.m.

Filed: December 20, 2021  
FAC Filed: March 15, 2022  
Trial Date: None Set

1 I, Barbara Lear, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this  
3 declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in support  
4 of Plaintiff's Motion To Approve Private Attorneys General Act Settlement.

5 2. I worked for Defendant Raxium, Inc. ("Defendant"), as a Process Technician from  
6 approximately May 6, 2019, through September 19, 2021. I was a non-exempt employee and was  
7 subject to all of Defendant's policies and practices that have been alleged as unlawful in the complaint  
8 and the notice sent to the Labor and Workforce Development Agency ("LWDA"), including the  
9 following: 1) failing to pay overtime, 2) failing to pay minimum wages, 3) failing to provide meal  
10 periods or pay premiums in lieu thereof, 4) failing to provide rest periods or pay premiums in lieu  
11 thereof, 5) failing to provide accurate wage statements, 6) failing to timely pay all final wages owed, 7)  
12 failing to maintain accurate records, and 8) failing to provide all required sick pay.

13 3. I have actively participated in the litigation of this case. I have given a detailed account  
14 of all the facts related to my employment and the claims asserted in the Complaint. I provided  
15 extensive documentation in support of the claims brought against Defendant including paystubs,  
16 Defendant's policies, and other documents related to my work with Defendant and to the claims brought  
17 in the lawsuit. I met with and assisted my attorneys Galen T. Shimoda and Justin P. Rodriguez in  
18 understanding the documents and providing context for Defendant's payroll process as it applied to me  
19 and how I believed it applied to Defendant's other employees.

20 4. My attorneys explained to me the risks and benefits of bringing a representative action.  
21 I understood that I took on the risk, both professionally and financially, in pursuing the case as a  
22 representative action. I understood that pursuing the case as a representative action meant that it would  
23 take substantially longer than pursuing a claim with the California Labor Commissioner and that I  
24 risked getting nothing in the end, but I believed it was important to make sure that Defendant followed  
25 the law for everyone.

26 5. I maintained communication with my attorneys throughout the litigation, discussing the  
27 facts and policies at issue in the case. I asked questions when I needed clarification about various  
28 aspects of this case to make sure there were continually steps taken to advance the interests of the

1 employees and the LWDA. I also understood that the recovery in this case was for the benefit of my  
2 fellow coworkers and the LWDA, not just for me. When my attorneys contacted me asking for more  
3 information or documents related to the case, I made myself available and tried to give or obtain any  
4 additional information I could. I participated in the negotiations and settlement discussions in this case,  
5 including participating in mediation by phone, speaking with my attorney to answer questions,  
6 providing any additional information needed to assist the negotiations, and discussing the potential  
7 terms of the Agreement to evaluate its adequacy.

8 6. I have reviewed the Private Attorneys General Act Settlement, discussed the terms with  
9 my attorneys, and asked my attorney any questions I had. I believe the settlement terms and allocations  
10 are fair and reasonable given the facts of the case.

11 7. I understand that the Service Award is subject to the discretion of the Court to award.  
12 However, I believe that the \$7,500 amount is a fair allocation. No other Aggrieved Employee is  
13 waiving their individual claims under the Agreement. Only the claims for civil penalties under the  
14 PAGA are being waived. However, as part of the Settlement and securing the benefit to Aggrieved  
15 Employee and the LWDA, I am required to waive all of my individual claims. I believe the \$7,500 is a  
16 reasonable compromise on the amount of damages I believe I would otherwise be owed if successful at  
17 trial based on the asserted claims and the facts of this case.

18 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
19 true and correct. Executed this July 21, 2022, in Stockton, California.

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DocuSigned by:  
*Barbara Lear*  
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Barbara Lear