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13 Attorneys for PLAINTIFF JOSE G. IRIZARRY,
14 on behalf of himself and others similarly situated

15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE**

17 LOLA MARCUM, on behalf of herself and
18 others similarly situated,

19 Plaintiff,

20 vs.

21 HUNTSMAN ADVANCED MATERIALS
22 AMERICAS, LLC.; and DOES 1 to 100,
23 inclusive,

24 Defendants.

Case No.: 22STCV03845

CLASS ACTION

*[Assigned For All Purposes to the Hon. Stuart
M. Rice, Dept. 1]*

**DECLARATION OF JOSE G. IRIZARRY
IN SUPPORT OF PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

DECLARATION OF JOSE G. IRIZARRY

I, Jose G. Irizarry, declare:

1. I am over the age of 18 and am the named Plaintiff and class representative in this matter. I have personal knowledge of the matters stated herein and if called and sworn as a witness, I would and could competently testify under oath thereto.

2. This declaration is submitted in support of Preliminary Approval of the Class Action settlement in this matter.

1 3. I worked for Defendant Huntsman Advanced Materials Americas, LLC
2 ("Defendant"), as a non-exempt employee from approximately May 28, 2019, to approximately
3 February 17, 2022.

4 4. From the time of the filing of the lawsuit, I have understood that this is a class
5 action lawsuit where I represent the interests of all current and former hourly-paid or non-exempt
6 employees employed by Defendant within the State of California at any time during the Settlement
7 Period.

8 5. I believe while working for Defendant, I and all current and former hourly-paid or
9 non-exempt employees employed by Defendant within the State of California at any time during
10 the Settlement Period, were subject to the same policies and procedures regarding payment of
11 minimum and overtime wages, reporting time pay, meal breaks, payment of meal break premium
12 wages, rest breaks, payment of rest break premium wages, wage statements, and final payment of
13 wages. I believe that the claims of all current and former hourly-paid or non-exempt employees
14 employed by Defendant within the State of California at any time during the Settlement Period are
15 identical to mine because Defendant's policies and procedures applied to all of us.

16 6. I understand that I must continue to consider and protect the interests all current and
17 former hourly-paid or non-exempt employees employed by Defendant within the State of
18 California at any time during the Settlement Period. I have been protecting the rights of myself
19 and all current and former hourly-paid or non-exempt employees employed by Defendant within
20 the State of California at any time during the Settlement Period, since approximately March of
21 2022 when I first started looking for an attorney before this lawsuit was filed. I have been and
22 continue to place the interest of all current and former hourly-paid or non-exempt employees
23 employed by Defendant within the State of California at any time during the Settlement Period
24 above my own. I do not have a conflict with the members of the Class I seek to represent.

25 7. I provided information and been available to my attorneys since approximately
26 March of 2022 when I was searching for my attorney. I have helped and been willing to support
27 the lawsuit in any way I can for the last approximately 22 months since March of 2022 when I
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1 began searching for an attorney for the claims in this lawsuit. I have searched for an attorney, met
2 with my attorneys to see if they would represent me, met with my attorneys to discuss the
3 Defendant's policies, procedures, and practices for clocking in and out, paying wages for the hours
4 that we worked, reporting for work, providing meal breaks, providing rest breaks, payment of
5 premium wages, wage statements, and final payment of wages. I spent time searching for policies
6 and procedures that were given to me during my employment, any timecards I had, any pay stubs I
7 had, W2s, and other documents related to my employment. I produced all documents to my
8 attorneys. I responded to almost all my attorneys' telephone calls and interviews and I met with
9 them in person and/or telephonically to discuss any questions they had about my employment,
10 Defendant's policies and procedures, Defendant's failure to pay minimum and overtime wages,
11 Defendant's failure to provide of meal and rest breaks, failure to pay premium wages, failure to
12 pay earned wages on time, failure to provide wage statements, and failure to pay final and earned
13 wages during resignation, or the documents I had provided to them. I made myself available
14 during the mediation session. Once the settlement agreement and subsequent amended settlement
15 agreement was finalized, I conferred with my attorneys on multiple occasions to review and
16 discuss each settlement agreement before signing.

17 8. I also understand that in the event this matter proceeds to trial, I must come to court
18 to participate in the trial. I will come to court if I am needed and have been ready to perform any
19 responsibility that is necessary for this lawsuit. I know that I took a risk by filing this lawsuit
20 because if I lost, I would have to pay for all the costs incurred by the Defendant in the lawsuit. I
21 also have the risk of losing income for any time that I would have to spend fulfilling my
22 responsibilities including having to attend the trial. I also believe I have taken a risk by filing this
23 lawsuit because my employers in the future may find out that I sued my employer, and they may
24 not like it. The other employees will be receiving money from this lawsuit and they have not had
25 to file a lawsuit, look for an attorney, or take the risks that I have had to take.

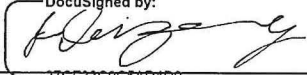
26 9. I understand that the settlement we have reached in this case must be approved by
27 the Court and I must protect the interests of all current and former hourly-paid or non-exempt
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1 employees employed by Defendant within the State of California at any time during the Settlement
2 Period.

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

5 Executed this 9th day of January 2024, at 3:30 pm, California.

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7 DocuSigned by:
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9 _____
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11 Jose G. Irizarry
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