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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA**

ROBERT LEWIS, as an individual and on
behalf of all others similarly situated,

Plaintiff,

vs.

IMERYS FILTRATION MINERALS, INC., a
Delaware corporation; IMERYS
PERFORMANCE MINERALS AMERICAS,
INC., a Delaware corporation; and DOES 1
through 100,

Defendants.

Case No.: 22CV04874

*[Assigned for all purposes to the Hon. Jed
Beebe; Dept. 4]*

**DECLARATION OF ROBERT LEWIS
IN SUPPORT OF APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: April 20, 2023
Time: 8:30 a.m.
Dept.: 4

Action Filed: December 8, 2022
Trial Date: None Set

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I, ROBERT LEWIS, declare as follows:

1. I am an individual over the age of 18 and the named plaintiff in this matter. This declaration is submitted in support of approval of the proposed class action settlement (“Settlement”) reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

2. I worked for defendants IMERYS Filtration Minerals, Inc. and IMERYS Performance Minerals Americas, Inc. (collectively, “IMERYS”) as a Haver Operator for their mining operation in Lompoc, California, from approximately October 2019 until approximately February 5, 2020.

3. Throughout my employment with IMERYYS, they did not pay me all the minimum and overtime wages I was owed. Specifically, IMERYYS required me to put on my necessary protective gear before I clocked in for my shift and take off my protective gear after I clocked out of my shift, and I was therefore not paid for this off-the-clock time. I also had to prepare my workspace prior to clocking in, which included setting up my equipment.

4. Additionally, IMERYYS did not allow me to take timely meal periods. Specifically, IMERYYS had a practice of staggering meal periods by seniority so that employees who worked for IMERYYS the longest received their meal periods on time, while the more junior employees, including myself, were required to continue working and wait for the more senior employees to finish their meal periods before we could take our meal periods. This caused me to consistently take my meal periods after my fifth hour of work. IMERYYS also applied this staggered, seniority-based schedule to second meal periods when I worked shifts over 10 hours. Furthermore, IMERYYS required me and other employees to always carry and respond to our radios, including during our meal and rest periods.

5. I brought this lawsuit because I felt that IMERYYS did not pay me or its other employees all of the wages we were owed or provide us with legally compliant meal and rest periods. I want IMERYYS to comply with the law and treat their employees fairly. I feel that I have taken on a greater burden than any of the other class members because I have been actively

involved in the litigation, and because it is my name that is attached to the lawsuit. Although I was aware of the risks of filing a lawsuit, I chose to move forward with the case anyway. Through my efforts, IMERYYS has agreed to a Settlement that will benefit current and former employees of IMERYYS, and I believe that I should be compensated for carrying the burden of this litigation for the benefit of the other employees.

6. I have been actively involved in this case since it was filed. Among other things, I searched for relevant documents for use in the lawsuit and provided factual information to my attorneys, had various phone calls with my attorneys to discuss the claims in the lawsuit and IMERYYS' practices, and had conversations with my attorneys prior to mediation to help them prepare. I estimate that I have spent approximately 10 to 15 hours in total on these activities.

I declare under penalty of perjury under the laws of the state of California and the United States that the foregoing is true and correct. Executed on 01/19, 2023 at Lompoc, California.


Robert Lewis (Jan 19, 2023 10:33 PST)

Robert Lewis