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Attorneys for Plaintiffs  
RYAN CHANLEY, OLIVIER LARA, VERONICA MEDINA, and CELIA OROZCO on  
behalf of themselves and all similarly situated employees

**SUPERIOR COURT OF CALIFORNIA**

**COUNTY OF MONTEREY**

RYAN CHANLEY on behalf of himself  
and all similarly situated employees

Plaintiff,

vs.

GROWERS TRANSPLANTING, INC., a  
California corporation; and DOES 1  
through 50, inclusive,

Defendants.

Case No. 22CV002837

**DECLARATION OF B. JAMES  
FITZPATRICK IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Date: March 22, 2024  
Time: 8:30 a.m.  
Dept.: 15

Complaint Filed: September 22, 2022  
Trial Date: Not Set

1 I, B. James Fitzpatrick, hereby declare and state as follows:

2 1. I am an attorney duly admitted to practice in the State of California and am a  
3 partner in the law firm of Fitzpatrick & Swanston, counsel of record for Plaintiffs Ryan  
4 Chanley, Olivier Lara, Veronica Medina, and Celia Orozco ("Plaintiffs"). I have personal  
5 knowledge of the facts set forth below, and if called to testify, I could and would do so  
6 competently.

7 2. Based on their own independent investigation and evaluation, the Parties and  
8 their respective counsel are of the opinion that settlement for the consideration and on the  
9 terms set forth in the Joint Stipulation of Class Action and PAGA Settlement ("Settlement  
10 Agreement") is fair, reasonable, and adequate and is in the best interests of the Class and  
11 Defendant in light of all known facts and circumstances and the expenses and risks inherent in  
12 litigation.

13 3. I have spent significant time researching and pursuing the claims that have been  
14 alleged in this action. From the inception of the case, Class Counsel have zealously  
15 represented the interests of the Class. Class Counsel have engaged in significant meet and  
16 confer discussions with opposing counsel to obtain informal data and documents and to  
17 discuss the merits of the claims on behalf of the Class. This settlement was obtained for the  
18 benefit of the Class, as opposed to the Class Representatives. Based on my review of all the  
19 documents and information, and based on my experience in class action litigation, I believe  
20 this settlement to be fair, adequate, and reasonable.

21 4. **Qualifications:** I am one of the primary attorneys on this matter. My  
22 qualifications are as follows: I received my bachelor's degree from the University of  
23 California, Santa Barbara and my Juris Doctor degree from the University of Santa Clara  
24 School of Law. I have practiced law since 1987. The primary emphasis of my practice is  
25 employment litigation. I have represented both employers and employees. Over 15 years ago,  
26 my office commenced handling plaintiff class action wage and hour cases. Since then, my  
27 office has handled hundreds of wage and hour cases to conclusion and has been class counsel  
28 and/or co-counsel in over 100 class actions. My firm currently has wage and hour cases in

1 Alameda County Superior Court, Monterey County Superior Court, Nevada County Superior  
2 Court, Santa Clara Superior Court, San Benito Superior Court, San Bernardino County  
3 Superior Court, San Joaquin County Superior Court Santa Cruz Superior Court, Ventura  
4 County Superior Court, and the United States District Courts, for the Eastern and Northern  
5 District of California.

6 5. I do not have a conflict of interest with Plaintiffs or the Class Members. My co-  
7 counsel and I will adequately represent the Class Members in this action. Co-Counsel and I  
8 have and will zealously represent Plaintiffs and the Class and pursue this lawsuit to its  
9 conclusion.

10 6. Neither counsel nor their respective firms have any relationship with the  
11 proposed *cy pres* recipient that would create an actual or potential conflict of interest. Defense  
12 counsel and I further agree that the Watsonville Law Center satisfies the legislative intent set  
13 out in Code of Civil Procedure § 384(a), in that the organization helps further the purposes of  
14 the underlying class action and promote justice for all Californians.

15 I declare under penalty of perjury under the laws of the State of California that the  
16 foregoing is true and correct and if called as a witness I could and would competently testify to  
17 each of the matters stated herein, and I state that these matters are based upon my own  
18 personal knowledge acquired through first-hand observation, except where stated otherwise.  
19 This declaration was executed by me on March 1, 2024, in Salinas, California.

20 /s/ B. James Fitzpatrick

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B. James Fitzpatrick