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VICTOR GONZALEZ, individually and on behalf of all others similarly situated.

[Additional Counsel Listed On Next Page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SACRAMENTO

ANDREW D. TAPPIN, DONYEISHA MISH,
DARNELL LEE, LUIS ROBLES, XOCHITL
VELASCO, and VICTOR GONZALEZ,
individually and on behalf of all others similarly
situated, and on behalf of the general public as
private attorney general,

Plaintiff,

vs.

TFORCE FREIGHT, INC., a Virginia
Corporation; and DOES 1 through 50, inclusive,
Defendants.

Case No. 34-2022-00314820-CU-OE-GDS

Assigned for All Purposes to:
Hon. Jill Talley
Dept. 23

DECLARATION OF XOCHITL VELASCO

Date: June 21, 2024
Time: 9:00 a.m.
Dept. 23

Reservation No.: A-314820-003

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25 VICTOR GONZALEZ, individually and on behalf of all others similarly situated.

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1 I, XOCHITL VELASCO declare as follows:

2 1. I am an adult over the age of eighteen (18) years old. I am the Named Plaintiff who
3 filed the above-captioned lawsuit. I have personal knowledge of the facts set forth in this
4 declaration. I make this declaration in support of Plaintiffs' Motion for Preliminary Approval of
5 Class Action Settlement.

6 2. I am a current employee of TForce, and I've been with the company since
7 approximately 2007 through the present. From approximately 2007 to 2012, I worked as a Dock
8 Clerk and then an Appointment Clerk. From 2012 to around November 2020 I was an OS&D
9 (Overages, Shortages & Damages) and Yard Check clerk. Since about November 2020, I've been a
10 Dispatch Clerk. I worked at the Rialto, California location until approximately December 2020, and
11 since then moved to the Fontana, California location. Since I've been with TForce, I don't think I
12 have been paid for all the hours I've worked, as I spend time putting on/taking off work uniforms
13 and undergoing security checks that is not paid for. I lose time during my lunches if they are
14 interrupted, which happens a lot when issues come up in the yard or related to dispatch that I have
15 to deal with. I also sometimes clock in and start my shift a few minutes early, and TForce will deduct
16 any time before the scheduled start time, so I don't get paid for it. I also don't think I got all of my
17 meal and rest breaks like I was supposed to, and as I mentioned breaks can be interrupted frequently.
18 I've also had to use my personal cell phone for work without any reimbursement.

19 4. I decided to bring this lawsuit because I did not feel that I was treated fairly as an
20 employee of Defendant, especially with regard to not being paid properly for all the hours I worked,
26 and not getting all of my proper lunches and rest breaks. As a result, I believe the other class members
22 and myself are owed additional compensation for all of the work we did that was not paid for by
23 TForce.

24 5. It is my understanding this lawsuit could not have been prosecuted or settled unless
25 I or some other employee decided to serve as a named plaintiff and pursue the case. In deciding to
26 serve as a named plaintiff, I understood that my name would be publicly attached to this lawsuit
27 and that my work experiences to some extent would be set forth in a public court file. I recognized
28 that I would need to devote a certain amount of time that I could have spent otherwise. I also

1 recognized that my bringing the lawsuit carried some degree of risk. Despite this, I decided to serve
2 as the named plaintiff without any promise of recovery or compensation.

3 6. I am familiar with the work involved in prosecuting this case. I have participated in
4 numerous meetings and communications with my lawyers regarding this case. I am familiar with
5 the allegations and defenses of the claims in this case. I am familiar with the major events in this
6 case, including the investigation performed by my lawyers, the mediation with Defendant that
7 resulted in this settlement, and the preparation of settlement papers and the need to obtain court
8 approval of the proposed settlement. I also was deposed for a full day and I participated in all
9 stages of the litigation and provided my lawyers with information and documents regarding my
10 employment with Defendant.

11 7. I believe that the proposed settlement obtained on behalf of the other aggrieved
12 employees is excellent in view of the issues and risks involved with the case. I believe I have
13 fulfilled my duties as a named plaintiff and class representative, which required a significant
14 amount of time and effort during the course of this case. These efforts required dedicating
15 numerous hours to lawsuit activities including, but not limited to: (a) communicating with my
16 attorneys to stay informed of ongoing developments in the case and to discuss the proposed
17 settlement ultimately negotiated; (b) searching for and providing documents and other materials
18 relating to my work experience; (c) responding to requests for information relating to my work
19 experience; and (d) reviewing filings and key documents including drafts of the complaint and the
20 settlement agreement. These tasks required my dedication of at least 25 hours of my time, which
26 time I honestly could have spent on family, personal time, school time, or work. My understanding
22 is that future tasks may require several more hours of my time. I believe I have been diligent and
23 that I have acted above and beyond that of which is expected of a named plaintiff to date and will
24 continue to do so.

25 9. It is my opinion that \$10,000.00 is a fair and adequate award for my service as the
26 named plaintiff and class representative, and in consideration for my general release of all claims
27 against IPC. I believe that amount is fair and reasonable in view of the work I have and will
28 continue to perform on behalf of the State and the aggrieved employees. I believe that my role in

1 this lawsuit has resulted in a valuable benefit to the State of California and other aggrieved
2 employees, and I accepted the potential risk of being liable for the opposing parties' costs if we
3 were unsuccessful in this lawsuit. I believed in this case, so I was willing to be the named plaintiff
4 to risk this and pursue this class action litigation. I also accepted the risk that news of this lawsuit
5 could also potentially impact my ability to secure other work. At all times I believe I have acted in
6 the best interests of the entire class.

7 10. Based on the time, service, risk, stress, potential stigma, loss of benefits and
8 excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

9 I declare under penalty of perjury under the laws of the United States that the foregoing is
10 true and correct. Executed on 05 / 24 / 2024, at Fontana, California.

11 *Xochitl R Velasco*
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13 XOCHITL VELASCO
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