

JAMES HAWKINS APLC

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Attorneys for Plaintiffs ANDREW D. TAPPIN, DONYEISHA MISH,
DARNELL LEE, LUIS ROBLES, XOCHITL VELASCO and
VICTOR GONZALEZ.

[Additional Counsel Listed On Next Page]

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
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 H. Talley
Dept. 23

**DECLARATION OF JAMES HAWKINS
IN SUPPORT OF MOTION FOR FINAL
APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT**

Date: February 14, 2025
Time: 9:00 a.m.
Dept. 23

Reservation No.:

1 BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

Norman B. Blumenthal (State Bar #068687)

2 Kyle R. Nordrehaug (State Bar #205975)

Aparajit Bhowmik (State Bar #248066)

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13 Attorneys for Plaintiffs ANDREW D. TAPPIN, DONYEISHA MISH,

DARNELL LEE, LUIS ROBLES, XOCHITL VELASCO and

14 VICTOR GONZALEZ.

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1 I, James Hawkins, declare as follows:

2 1. I am an individual over the age of 18. I am a partner at the law firm of James
3 Hawkins, APLC. I am one of the attorneys of record for Plaintiffs Andrew D. Tappin, Donyeisha
4 Mish, Darnell Lee, Luis Robles, Xochitl Velasco, and Victor Gonzalez (hereinafter referred to as
5 “Plaintiffs” or “Class Representatives”), who commenced this class and PAGA action on behalf of
6 the Class Members and Aggrieved Employees. I submit this declaration in support of Plaintiffs’
7 Motion for Final Approval of Class Action Settlement, which Plaintiffs filed concurrently
8 herewith, along with the supporting Memorandum of Points and Authorities. I have personal
9 knowledge of the facts set forth below, and if called to testify regarding them, I could and would
10 do so competently.

11 2. Despite the complexity of the case, Class Counsel has, through the investment of
12 substantial effort and the resources of my law firm and co-counsel’s, we have been able to secure
13 an outstanding settlement on behalf of the Settlement Class. Plaintiffs would have faced
14 substantial legal and factual obstacles in demonstrating that class certification was appropriate.
15 Plaintiffs would also have been required to establish a significant amount of witness testimony,
16 pattern and practice evidence, statistical evidence, sampling evidence, expert testimony, and other
17 evidence in order to present their case both at the class certification stage and trial. Defendant
18 vigorously contested liability, the amount of claimed damages, and the propriety of class
19 certification, and would have continued to do so through trial. Accordingly, I believe the
20 Settlement to be fair, reasonable, and adequate and in the best interests of the Settlement Class.
21 The fairness and adequacy of the Settlement is confirmed by all known facts and circumstances,
22 including the risk of significant delay and uncertainty associated with litigation, the various
23 defenses asserted by Defendant, and numerous potential appellate issues.

24 3. I have a great deal of experience in wage and hour class action litigation. I have
25 obtained certification of several classes, I have been approved as class counsel in many other
26 wage/hour class actions, and I am currently litigating numerous others. Although not an all
27 inclusive list, over the years I have prosecuted the following class action matters as lead and/or co-
28 lead counsel, all of which implicated similar law and facts to those associated with this action:

- 1 a. *Aguilar v. 7-Eleven, Inc., et. al.*, Orange County Superior Court- Case No.: 30-
2 2009-00268714-CU-OE-CXC. Certified Wage and Hour Class action seeking premium
3 wages for meal period and rest periods and resultant penalties. Class
4 Notice pending.
- 5 b. *Carey, et. al. v. Arthur J. Gallagher, et. al.*, USDC, SOUTHERN DISTRICT- Case
6 No.: 09-cv-0168. Wage and Hour Class action seeking past wages of overtime for mis-
7 classification of insurance claims adjusters employed by Gallagher Bassett, a third
8 party administrator (TPA) in the State of California. Certification granted. Plaintiffs'
9 counsel co-lead counsel. Case settled, Final Approval granted, no objections and funds
10 fully distributed.
- 11 c. *Dao v. 3M Company, et al.* USDC, CENTRAL DISTRICT, Case No. CV-08-
12 04554. Wage and Hour Class Action case seeking past wages for "off the clock",
13 overtime and meal and rest break violations for production workers in the State of
14 California. Plaintiffs' Counsel appointed as Lead Counsel. Case settled, Final
15 Approval granted, no objections and funds fully distributed.
- 16 d. *Ortiz v. Kmart*, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW.
17 Wage and Hour Class Action case seeking past wages for meal and rest period
18 violations for retail employees in the State of California. Plaintiffs' counsel appointed
19 co-lead counsel. Case settled, Final Approval granted, no objections and funds fully
20 distributed.
- 21 e. *Morgan v. Aramark Campus, LLC*, USDC, CENTRAL DISTRICT, Case No.
22 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal and
23 rest period violations for retail employees in the State of California. Plaintiffs'
24 Counsel appointed as Lead Counsel. Case settled, Final Approval granted, no
25 objections and funds fully distributed.
- 26 f. *West v Iron Mountain Information Management, Inc, et. al.*; Los Angeles County
27 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past
28 wages for overtime, meal and rest break violations for driver employees in the State of

1 California. Settlement for “binding arbitration.” Arbitration Award for Plaintiff Class.
2 Arbitration Award confirmed. Plaintiffs’ counsel, lead trial counsel and class counsel.
3 g. *Gonzalez v. Superior Industries Inter, Inc., et al.*, Los Angeles County Superior
4 Court, Case No. BC 357912. Wage and Hour Class Action seeking past wages for
5 overtime, meal and rest breaks violations for production employees in the State of
6 California. Plaintiffs’ counsel appointed as lead counsel. Case settled, Final Approval
7 granted, no objections and funds fully distributed.

8 h. *Acosta v. Fleetwood Travel Trailers of California, Inc., et al.*, Riverside County
9 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past
10 wages for overtime, meal and rest break violations for production employees in the
11 State of California. Plaintiffs’ counsel appointed as co-lead counsel. Case settled,
12 Final Approval granted, no objections and funds fully distributed.

13 i. *Walker v. Sharkeez, et al.*, Orange County Superior Court, Case No. 05CC00293.
14 Wage and Hour Class Action seeking past wages for unlawful deductions, meal and
15 rest break violations for restaurant employees in the State of California. Plaintiffs’
16 counsel appointed as lead counsel. Case settled, Final Approval granted and funds
17 fully distributed.

18 j. *Padron v. Universal Protection Service, et al*, Orange County Superior Court, Case
19 No. 05CC00013. Wage and Hour Class Action seeking past wages for overtime, meal
20 and rest break violations for security officers in the State of California. Plaintiffs’
21 counsel appointed as co-lead counsel. Case settled, Final Approval granted, no
22 objections and funds fully distributed.

23 k. *Martinez v. Securitas Security Services USA, et al.*, Santa Clara Superior Court,
24 Case No. 105-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action
25 seeking past wages for meal and rest break violations for security officers employed by
26 defendant in the State of California. Plaintiffs’ counsel and co-counsel. Case settled,
27 Final Approval granted and funds fully distributed.

28 l. *Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al.*, Riverside Superior Court,

1 Case No. RIC 420909. Wage and Hour Class Action seeking past wages for overtime,
2 meal and rest break violations for housekeepers employed by defendant in the State of
3 California. Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval
4 granted, no objections and funds fully distributed.

5 m. *Ruiz, et al. v. Unisource Worldwide, Inc., et al.*, USDC, CENTRAL DISTRICT,
6 Case No. CV09-05848. Wage and Hour Class Action seeking past wages for meal and
7 rest period violations for non-exempt employees employed by defendant in the state of
8 California. Case settled. Awaiting Preliminary Approval hearing. Plaintiff has
9 petitioned the Court for Lead Counsel.

10 n. *Herrador v. Culligan International Company, et al.*, USDC, CENTRAL
11 DISTRICT, Case No. SACV 08-680. Wage and Hour Class Action seeking past wages
12 for field and branch employees of defendant in the State of California. Plaintiffs'
13 counsel appointed as lead counsel. Case settled and awaiting Final Approval.

14 o. *Defries v. Domain Restaurants, et al.*, Orange County Superior Court, Case No.
15 05CC00128. Wage and Hour Class Action seeking past wages for restaurant
16 employees of defendant in the State of California. Plaintiffs' counsel appointed as lead
17 counsel. Case settled, Final Approval granted, no objections and funds fully
18 distributed.

19 p. *Denton v. BLB Enterprises, Inc., et al.*, Orange County Superior Court, Case No.
20 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest
21 break violations for security guards employed by defendant in the State of California.
22 Plaintiffs' counsel appointed as lead counsel. Case settled, Final Approval granted, no
23 objections and funds fully distributed.

24 q. *Rios v. Sandberg Furniture Manufacturing Co., Inc, et al.*, Los Angeles Superior
25 Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal and
26 rest break violations for production employees employed by defendant in the State of
27 California. Plaintiff counsel appointed as lead counsel. Case settled, Final Approval
28 granted, no objections and funds fully distributed.

1 r. *McMurray v. Dave and Busters, Inc.*, et al., Orange County Superior Court, Case
2 No. 06CC00099. Wage and Hour Class Action seeking past wages for meal and rest
3 break violations for restaurant employees employed by defendant in the State of
4 California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final
5 Approval granted, no objections and funds fully distributed.

6 s. *Osuna v. DFG Restaurants, Inc.*, et al., Los Angeles Superior Court, Case No. BC
7 330145. Wage and Hour Class Action seeking past wages of overtime for mis-
8 classification of managers employed by Defendant, DBA Carl's Jrs. in the State of
9 California. Plaintiffs' counsel appointed as co-lead counsel. Case settled, Final
10 Approval granted, no objections and funds fully distributed.

11 t. *Burns v. Gymboree Operations, Inc.*, et al., San Francisco Superior Court, Case No.
12 CGC-07-461612. Wage and Hour Class Action seeking past wages for meal and rest
13 break violations for retail employees employed by defendant in the State of California.
14 Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval granted, no
15 objections and funds fully distributed.

16 u. *Willems v. Diedrich Coffee, Inc.*, et al., Orange County Superior Court, Case No.
17 07CC00015. Wage and Hour Class Action seeking past wages of overtime for mis-
18 classification of managers employed by Defendant in the State of California.
19 Plaintiffs' counsel appointed lead counsel. Case settled, Final Approval granted, no
20 objections and funds fully distributed.

21 v. *Davila, et al. v. Beckman Coulter, Inc.*, et al., Orange County Superior Court, Case
22 No. 07CC01347. Wage and Hour Class Action seeking past wages for overtime, meal
23 and rest break violations for production workers employed by defendant in the State of
24 California. Plaintiffs' counsel appointed lead counsel. Case settled; final approval
25 granted; no objections and funds fully distributed.

26 w. *Perez v. Naked Juice Company of Glendora, Inc.*, Los Angeles Superior Court,
27 Case No. BC387088. Wage and Hour Class Action seeking past wages for overtime,
28 meal and rest period violations for production employees employed by defendant in the

1 State of California. Plaintiff counsel appointed as lead counsel. Case settled, Final
2 Approval granted, no objections and funds fully distributed.

3 4. Our firm served as class counsel in a number of significant wage and hour
4 settlements. Of particular note, in 2019, our firm was co-lead counsel in securing the largest
5 wage and hour class action settlement in California history at \$130,000,000. During this case,
6 Plaintiffs appealed a decertification order. This case involved several appeals. The appellate
7 record amassed an extensive appellate record comprising a 23-volume joint appendix, a three-
8 volume reporters transcript, five briefs, four letter briefs, two motions for judicial notice, a motion
9 to augment the record, and several additional letters informing the appellate court of new legal
10 authority issued after *Dukes*. The matter was argued to and submitted by the Court of Appeal on
11 September 15, 2016, and on November 21, 2016, the decertification order was reversed and the
12 case was remanded for further proceedings. (*Lubin v. The Wackenhut Corporation* (“*Lubin*”), 5
13 Cal. App. 5th 960 (2016)). Wackenhut filed a petition for review of the Court of Appeal decision
14 to the California Supreme Court. The Supreme Court denied Wackenhut’s petition for review of
15 *Lubin*. The Court of Appeal issued remittitur on April 10, 2017. Eventually through more
16 litigation, the parties were able to secure the 130 million settlement that was approved on October
17 21, 2019 by Judge Highberger in the Los Angeles Superior Court.

18 5. Counsel for Plaintiffs are seeking 1/3 of the Gross Settlement Amount i.e.
19 \$2,750,000.00. Class Counsel’s requested fees of 1/3 of the Gross Settlement Amount is
20 reasonable. Plaintiffs’ counsel has borne the entire risk and cost of this litigation on a pure
21 contingency fee basis. The legal issues raised drew significantly upon my firms and co-counsel’s
22 experience and the extensive review and analysis of documents and information by me and others
23 at my firm and our co-counsel. In a complex action such as this, the proposed attorneys’ fees
24 are, at the very least, on the low side of the market rate for contingency fees.

25 6. A review of my firm’s detailed billing system reveals that to date, my firm as
26 Class Counsel, on behalf of Plaintiff and the Settlement Class Members, invested approximately
27 **206.90** documented hours litigating this matter through the date of this declaration for a total
28 lodestar of **\$162,287.00** in fees, broken down as follows: my rate of \$1,050.00 per hour x 72.60

1 hours = \$76,230.00; Gregory Mauro's rate of \$850 per hour x 89.70 documented hours =
2 \$76,245.00; and paralegal Melissa Whitson's rate of \$220 x 44.60 hours = \$9,812.00.

3 7. In addition to the requested attorneys' fees, our office has expended approximately
4 **\$2,158.09** in costs in prosecuting this action. These costs have been necessary costs associated
5 with prosecution of this important matter. Counsel for Plaintiff respectfully requests the Court
6 grant the request to have these costs repaid from the Settlement. Attached hereto as **Exhibit 1** is a
7 true and correct copy of my firm's Matter Billing Detail.

8 8. Class Counsel seeks approval of \$10,000.00 Enhancement Award Payments to
9 each of the named Plaintiffs/Class Representatives totaling \$60,000.00. The requested
10 enhancement awards are reasonable in light of the general releases of all claims Plaintiffs agreed
11 to, greater than the release given by Class Members, the benefits Plaintiff conferred upon the
12 entire Class resulting in payments to all Class Members, the time spent assisting counsel with the
13 investigation and prosecution of these claims and consenting to the proposed Settlement.
14 Furthermore, in pursuing this action on behalf of the Class, Plaintiffs risked a judgment for
15 attorneys' fees and costs in the event this matter had been lost. Attached hereto as **Exhibit 2** is a
16 true and correct copy of Plaintiff Andrew D. Tappin's Declaration previously submitted in
17 support of Preliminary Approval.

18 I declare under penalty of perjury under the laws of the United States that the foregoing is
19 true and correct to the best of my personal knowledge. Executed this 22nd day of January, 2025,
20 in Irvine, California.

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22 James R. Hawkins, Esq.

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EXHIBIT 1

Matter Billing Detail

Report Date:1/21/2025

Report Time:2:50PM

Page:1 of 2

User ID:R. Hawkins

JAMES HAWKINS APLC

Date Range:01/01/1900 to 01/21/2025

Client:TFORCEFREIGHT - Andrew D. Tappin

Matter:TFORCE - TForce Freight Inc.- Andrew D. Tappin v. TForce Freight

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
		Balance Forward:	\$0.00						
11/24/2021	FST	First Legal Network - Filing FAX/PDF same day , class complaint and initial docs IN#30182125	\$540.55		Unbilled				
12/03/2021	FIL	12.03.21 LWDA filing fee	\$75.00		Unbilled				
12/20/2021	FIL	Filing Fee - 11.24.2021 LWDA Filing Fee	\$75.00		Unbilled				
12/20/2021	POS	Postage - 11.24.2021 Ntc of LWDA Filing to Agent(s) via Certified Mail	\$7.73		Unbilled				
01/21/2022	FST	First Legal Network - Process branch same day, complaint, initial docs, ntes, Filing fax/pdf same day, proof of service IN #30185317	\$264.74		Unbilled				
04/05/2022	CRT	Court Documents - 04.05.22 needed to pull order off docket	\$1.00		Unbilled				
04/20/2022	FST	First Legal Network - Filing - Notice of Minute Order IN# 30195930	\$54.50		Unbilled				
09/01/2022	FST	First Legal Network - Filing-Fax: CMC Statment, CMS IN#30212421	\$109.00		Unbilled				
		Total:	\$1,127.52	\$0.00					
		Balance:	\$1,127.52						

Matter Billing Detail

JAMES HAWKINS APLC

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
Total Fees Billed- - - - -			\$0.00						
Total Fees Unbilled : - - - - -			\$0.00						
Total Fees Received : - - - - -			\$0.00						
Total Soft Cost Billed : - - - - -			\$0.00						
Total Soft Cost Unbilled : - - - - -			\$0.00						
Total Soft Cost Received : - - - - -			\$0.00						
Total Hard Cost Billed : - - - - -			\$0.00						
Total Hard Cost Unbilled : - - - - -			\$1,127.52						
Total Hard Cost Received : - - - - -			\$0.00						
Total Taxes Billed : - - - - -			\$0.00						
Total Taxes Unbilled : - - - - -			\$0.00						
Total Taxes Received : - - - - -			\$0.00						
Total Late Charges Billed : - - - - -			\$0.00						
Total Late Charges Unbilled: - - - - -			\$0.00						
Total Late Charges Received : - - - - -			\$0.00						
Trust Balance: - - - - -			\$0.00						

Matter Billing Detail

JAMES HAWKINS APLC

Date Range: 01/01/1900 to 01/21/2025
Client: TFORCEFREIGHT - Andrew D. Tappin
Matter: TFORCEPAGA - TForce Freight Inc.PAGA- Andrew D. Tappin v. TForce Freight

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
		Balance Forward:	\$0.00						
01/31/2022	FST	First Legal Network - Filing fax/pdf same day, PAGA complaint , civil case cover sheet IN#30188503	\$538.60		Unbilled				
03/02/2022	FST	First Legal Network - Process branch same day, complaint, initial docs, ntc(s), Filing fax/pdf same day, proof of service, IN#30192286	\$260.57		Unbilled				
08/11/2022	FST	First Legal Network- Filing-Fax: Pltf CMC Stmt IN#30209403	\$54.50		Unbilled				
08/19/2022	FST	First Legal Network - Filing-Fax: Joint Stip to Cont. CMC, Pltf's Ntc of Non-Opp IN#30212421	\$131.00		Unbilled				
10/05/2022	CRT	Court Documents - 10.05.22 pulling orders off docket	\$5.00		Unbilled				
06/20/2024	FST	First Legal Network - Filing - Notice of Continuance IN# 30287287	\$40.90		Unbilled				
		Total:	\$1,030.57	\$0.00					
		Balance:	\$1,030.57						

Matter Billing Detail

JAMES HAWKINS APLC

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
Total Fees Billed- - - - -			\$0.00						
Total Fees Unbilled : - - - - -			\$0.00						
Total Fees Received : - - - - -			\$0.00						
Total Soft Cost Billed : - - - - -			\$0.00						
Total Soft Cost Unbilled : - - - - -			\$0.00						
Total Soft Cost Received : - - - - -			\$0.00						
Total Hard Cost Billed : - - - - -			\$0.00						
Total Hard Cost Unbilled : - - - - -			\$1,030.57						
Total Hard Cost Received : - - - - -			\$0.00						
Total Taxes Billed : - - - - -			\$0.00						
Total Taxes Unbilled : - - - - -			\$0.00						
Total Taxes Received : - - - - -			\$0.00						
Total Late Charges Billed : - - - - -			\$0.00						
Total Late Charges Unbilled: - - - - -			\$0.00						
Total Late Charges Received : - - - - -			\$0.00						
Trust Balance: - - - - -			\$0.00						

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EXHIBIT 2

JAMES HAWKINS APLC
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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
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 H. Talley
Dept. 23

**DECLARATION OF ANDREW D.
TAPPIN**

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

Reservation No.: A-314820-003

BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP

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Attorneys for Plaintiff ANDREW D. TAPPIN, DONYEISHA MISH,
DARNELL LEE, LUIS ROBLES, XOCHITL VELASCO and
VICTOR GONZALEZ, individually and on behalf of all others similarly situated.

DECLARATION OF ANDREW D. TAPPIN

I, ANDREW D. TAPPIN hereby declare as follows:

1. I am over the age of eighteen. The following is based upon my personal knowledge and if called as a witness, I could and would competently testify thereto.

2. I was employed by Defendant TForce Freight, Inc., ("Defendant") in approximately April 2021 as a Non-Exempt Employee working as a Dock Worker. I worked for Defendant until my separation from Defendant's employ in approximately September 2021. While working for TForce, I don't think I was paid for all of my work time, such as time spent working after having meal periods interrupted, and time deducted by TForce where I was clocked in and starting work a few minutes before the scheduled start of a shift. I also don't think I got all of my meal and rest breaks like I was supposed to, and breaks were interrupted frequently by other supervisors and other employees needing parts. I had to use my own personal equipment such as my cell phone and vehicle for work as well but never got any reimbursement.

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

4. It is my understanding this lawsuit could not have been prosecuted or settled unless I or some other employee decided to serve as a named plaintiff and pursue the case. In deciding to serve as a named plaintiff, I understood that my name would be publicly attached to this lawsuit and that my work experiences to some extent would be set forth in a public court file. I recognized that I would need to devote a certain amount of time that I could have spent otherwise. I also recognized that my bringing the lawsuit carried some degree of risk. Despite this, I decided to serve as the named plaintiff without any promise of recovery or compensation.

5. I am familiar with the work involved in prosecuting this case. I have participated in numerous meetings and communications with my lawyers regarding this case. I am familiar

1
2 with the allegations and defenses of the claims in this case. I am familiar with the major events
3 in this case, including the investigation performed by my lawyers, the mediation with Defendant
4 that resulted in this settlement, and the preparation of settlement papers and the need to obtain
5 court approval of the proposed settlement. I also was deposed for a full day and I participated in
6 all stages of the litigation and provided my lawyers with information and documents regarding
7 my employment with Defendant.

8 6. I believe that the proposed settlement obtained on behalf of the other aggrieved
9 employees is excellent in view of the issues and risks involved with the case.

10 7. I believe I have fulfilled my duties as a named plaintiff and class representative,
11 which required a significant amount of time and effort during the course of this case. These
12 efforts required dedicating numerous hours to lawsuit activities including, but not limited to:
13 (a) communicating with my attorneys to stay informed of ongoing developments in the case and
14 to discuss the proposed settlement ultimately negotiated; (b) searching for and providing
15 documents and other materials relating to my work experience; (c) responding to requests for
16 information relating to my work experience; (d) preparing for my deposition although it was
17 never taken as result of the settlement, and (e) reviewing filings and key documents including
18 drafts of the complaint and the settlement agreement. These tasks required my dedication of at
19 least 30-35 or more hours of my time, which time I honestly could have spent on family,
20 personal time, school time, or work. My understanding is that future tasks may require several
21 more hours of my time. I believe I have been diligent and that I have acted above and beyond
22 that of which is expected of a named plaintiff to date and will continue to do so.

23 8. It is my opinion that \$10,000.00 is a fair and adequate award for my service as
24 the named plaintiff and class representative, and in consideration for my general release of all
25 claims against IPC. I believe that amount is fair and reasonable in view of the work I have and
26 will continue to perform on behalf of the State and the aggrieved employees. I believe that my
27 role in this lawsuit has resulted in a valuable benefit to the State of California and other
28 aggrieved employees, and I accepted the potential risk of being liable for the opposing parties' costs if we were unsuccessful in this lawsuit. I believed in this case, so I was willing to be the

1
2 named plaintiff to risk this and pursue this class action litigation. I also accepted the risk that
3 news of this lawsuit could also potentially impact my ability to secure other work. At all times I
4 believe I have acted in the best interests of the entire class.

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

7 I declare under penalty of perjury under the laws of the United States that the foregoing
8 is true and correct. Executed on 5/22/2024, at Ceres, California.

9
10 DocuSigned by:
11 Andrew Tappin
12 40C56C89C2774E9...
13 Andrew D. Tappin
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