

1 James R. Hawkins (SBN 192925)
Christina M. Lucio (SBN 253677)
2 JAMES HAWKINS APLC
3 9880 Research Drive, Suite 200
Irvine, California 92618
4 Telephone: (949) 387-7200
Facsimile: (949) 387-6676
5 james@jameshawkinsaplc.com
christina@jameshawkinsaplc.com
6

7 Attorneys for Plaintiff JAIME GONZALEZ,
on behalf of the general public
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF RIVERSIDE**

11 JAIME GONZALEZ, individually and on behalf
of the general public,
12

13 Plaintiff,
14

15 v.

16 PROBUILD COMPANY, LLC, a Delaware
limited liability company, doing business as
DIXIELINE LUMBER & HOME CENTERS;
17 BUILDERS FIRSTSOURCE, INC., entity type
unknown; and DOES 1-50, inclusive,
18

19 Defendants.
20
21
22
23
24
25
26
27
28

Case No. CVRI2105278

Assigned for All Purposes To:
Hon. Harold W. Hopp, Dept. 1

**DECLARATION OF JAIME GONZALEZ
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

[Filed concurrently with Notice of Motion and
Motion, Memorandum of Points and
Authorities, Declaration of James Hawkins, and
[Proposed] Order]

Date: December 13, 2024
Time: 8:30 a.m.
Dept.: 1

Complaint filed: November 19, 2021
Trial Date: None set

1 I, Jaime Gonzalez, declare as follows:

2 1. I am over the age of eighteen (18) and a resident of the State of California. I am the
3 named plaintiff in the above-titled case. I have personal knowledge of the facts set forth in this
4 declaration, and if called upon to testify, I could and would competently testify thereto.

5 2. I worked as an hourly, non-exempt Material Handler and Assembler for Defendant BFS Group,
6 LLC (formerly ProBuild Company, LLC), doing business as Dixieline Lumber, and Builders
7 FirstSource, Inc. ("Probuild" or "Defendants") from approximately September 20, 2020 to November
8 18, 2020 at Defendants' warehouse in Riverside, California.

9 3. Because I thought the practices at Probuild may not be lawful, I decided to seek legal advice
10 about my work experience and about filing a lawsuit to obtain relief for my grievances. I contacted my
11 attorneys and after discussing my concerns, I decided to proceed with a lawsuit against my former
12 employer. At the time, I also agreed to represent all other similarly situated non-exempt employees who
13 worked for Defendants in California, and to obtain relief for the entire class.

14 4. I am aware and have been aware from the inception of the case, that there is the risk that if I do
15 not win my case, then I could be liable for Defendants' litigation costs. I accepted that risk in this case. I
16 also understood that an individual case would potentially have resolved much faster than a class action
17 and involved much less financial risk than a class action.

18 5. I have and continue to be willing to assist in the investigation and prosecution of this matter. I
19 have regularly conferred with my attorneys regarding the case as part of my responsibilities as a class
20 and PAGA representative. I have searched for and provided any necessary information and documents
21 to my attorneys, including my paystubs, letters and e-mails, policy documents, and other employment
22 documents; reviewed documents and pleadings in this case, including my PAGA letter, the class and
23 PAGA action complaints, the settlement agreement, and this declaration; and communicated with other
24 employees regarding their experiences working with Defendant. In addition, I will also make myself
25 available for any further proceedings in this matter as required to represent the interests of the Class. I
26 also understand my duties and responsibilities to the proposed Class and will continue carry out those
27 duties.

28 6. I routinely checked in with my attorneys and their staff to make sure that they had all my most

1 current information and any additional information that I had obtained. I made myself available to
2 answer any questions my attorneys had about Defendant's practices and treatment of their employees
3 whenever they needed me, including during mediation. I responded to them as quickly as possible and
4 gave them as much information as I could.

5 7. I reviewed the settlement agreement, discussed the settlement agreement with my attorneys, and
6 asked them questions before signing it. Based on the information provided, I believe the settlement to be
7 fair, adequate, and reasonable for myself and the entire Class and the PAGA Members.

8 8. I believe that I have done everything that my attorneys have asked of me and tried, to the best of
9 my ability, to seek relief for the Class, the PAGA Members, and the State of California. I have spent
10 many hours assisting in this matter. I believe my efforts helped get the result obtained in this case.

11 9. I understand that any resolution of this lawsuit on a class wide basis is subject to court approval,
12 and any settlement must be designed in the best interest of the Class as a whole. At all times throughout
13 the course of this litigation I have considered the interests of the Class and put them before my own
14 personal interests.

15 10. I understand that, as part of the settlement, I will be asking the Court to approve an incentive
16 payment for me as the Class Representative. I understand that any service payment is discretionary and
17 intended to compensate named plaintiffs for the quality and quantity of the work done on behalf of the
18 class and other employees; the financial and/or reputational risk undertaken in bringing the class and/or
19 PAGA action, and an acknowledgment of the benefits resulting from the representative's actions.

20 11. I believe my work in this matter is meritorious on these points for the reasons set forth
21 above. Therefore, I request that the Court preliminarily approve a Class Representative Enhancement
22 Payment in the amount of \$10,000 for my efforts and very active participation in the case and for the
23 broader, general release of all claims that I have or may have against Defendant in connection with the
24 settlement.

25 I declare under penalty of perjury under the laws of the State of California that the foregoing is
26 true and correct. Execute on November 21, 2024 in Perris, California.

27
28 
Jaime Gonzalez (Nov 21, 2024 14:59 PST)
Jaime Gonzalez