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Attorneys for Plaintiff KASHU XOLA, Individually, and on behalf of other members of the general public similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

KASHU XOLA, Individually, and on behalf
of other members of the general public
similarly situated,

Plaintiff,

v.

FULL PACKAGE DELIVERY, LLC, a
California Limited Liability Company;
AMAZON LOGISTICS, INC., a Delaware
Corporation; and DOES 1-10, inclusive

Defendants

CASE NO. 37-2022-00006720-CU-OE-CTL

**DECLARATION OF KASHU XOLA IN
SUPPORT OF PLAINTIFF'S UNOPPOSED
MOTION FOR FINAL APPROVAL OF (1)
CLASS ACTION SETTLEMENT; (2)
ATTORNEYS' FEES AND COSTS; and (3)
CLASS REPRESENTATIVE AWARD**

Date: September 8, 2023

Time: 9:00 a.m.

Dept.: C-60

Judge: Hon. Matthew C. Braner

1 I, Kashu Xola, declare as follows:

- 2 1. I am the named Plaintiff in the above-captioned matter. I have personal knowledge of the facts
3 set forth in this declaration and if called to testify as a witness, I could and would do so. I make
4 this declaration in support of Plaintiff's Unopposed Motion for Final Approval of Class Action
5 Settlement, Attorneys Fees and Costs, and Class Representative Award.
- 6 2. I am personally familiar with the facts set forth in this declaration, and if called to testify as a
7 witness I could and would do so.
- 8 3. To my recollection, I personally met with my Attorneys on at least 8 occasions. Several of
9 those meetings lasted in excess of 1.0 hours.
- 10 4. During these meetings, I would review and explain numerous documents turned over by
11 Defendants from my employment. I would also explain my (as well as others') role during
12 work. I also helped identify numerous other employees who could support the claims I was
13 making in this lawsuit. I contacted many of these individuals myself to verify their willingness
14 to participate.
- 15 5. I also spoke with my attorneys on the phone on at least 12 other occasions.
- 16 6. While it did not occur, I did agree to have my deposition taken. In preparation for a possible
17 deposition, I spent several hours preparing with my attorneys. I also spent significant time
18 reviewing the settlement documentation and discussing the settlement with my attorneys.
- 19 7. In total, I estimate that I spent at least 35 hours related to the above mentioned tasks directly
20 working with my attorneys. I also spent at least another 7-8 hours of my own time gathering
21 evidence and outlining issues that I later shared with my attorneys.
- 22 8. When I decided to move forward with this case, I was counseled by my attorneys of the
23 potential stigma of being a Class Representative in a class action dispute, as this is a publicly
24 filed lawsuit.
- 25 9. I was also advised when I brought this case that had we lost, I could have been personally
26 liable for paying all of Defendants' costs. I was further advised this could be well into the tens
27 of thousands of dollars on this type of case.

- 1 10. Despite these risks I was committed to achieving a settlement that would benefit all employees
2 who worked with me at Full Package Delivery.
- 3 11. I understand that as part of the settlement I was also asked to sign a release of claims that was
4 broader than the other settlement class members. Even though I believe I could have asserted
5 individual claims of my own after settling this case, (including discrimination and retaliation),
6 I agreed to the settlement as it was proposed because I did not want any of my individual issues
7 to negatively impact the class members.

8
9
10
11 I declare under penalty of perjury under the laws of the State of California that the foregoing
12 is true and correct. Executed this 16 day of August, 2023, at San Diego, California.

13
14 
15 Kashu Xola