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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

JOSHUA SHEETS, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

KAYDAN LOGISTICS LLC, a California
limited liability company; and DOES 1
through 20, inclusive;

Defendants.

Case No.: CVRI2200610

*[Assigned to Hon. Harold Hopp, Dept 1, for
all purposes]*

**DECLARATION OF JOSHUA SHEETS
IN SUPPORT OF MOTION TO
APPROVE SETTLEMENT PURSUANT
TO THE PRIVATE ATTORNEYS
GENERAL ACT OF 2004**

Hearing

Date: May 28, 2024

Time: 8:30 a.m.

Dept.: 1

I, Joshua Sheets, state and declare:

1. I am the Plaintiff in the above-entitled action. I am fully familiar with the facts of this case and hereby make this declaration in support of the dismissal of the class claims pled herein (without prejudice). The matters set forth herein are based upon my personal knowledge and if called upon as a witness, I could and would give competent testimony with respect to the matters contained herein.

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1 2. As to **CMO ¶ D(5)**:

- 2 a. Since first initiating this action on behalf of the other employees, I believe that I
3 have more than adequately performed my duties as a representative. I have been
4 an active participant in this litigation, including assisting my attorneys in various
5 ways and making myself available when needed. For example, I have assisted my
6 attorneys by compiling and analyzing substantial documentation regarding the
7 claims in this case. I have also helped to explain and discuss the company's
8 practices and their general practices and procedures, locating and analyzing
9 company documents, among others. I have also reviewed all settlement
10 documents. Finally, I will continue to take all steps necessary to finalize this
11 settlement and obtain court approval.
- 12 b. Since first initiating this action, I estimate that I have spent more than 100 hours
13 engaged in activities to benefit the State and the Aggrieved Employees. I have
14 assisted my attorneys in numerous ways, including helping to explain and discuss
15 the company's practices and their general practices and procedures, locating and
16 analyzing company documents, preparing for and making myself available for the
17 all-day mediation (including discussing the company's general policies, practices,
18 and procedures), and then reviewing all settlement documents through this
19 approval process. These efforts occurred through numerous telephone
20 conferences, letters, emails, and text communications.
- 21 c. Filing this lawsuit and the concerns of being seen as a whistleblower was stressful
22 on a day-to-day basis as I have constantly worried about the risk that this could
23 impact my ability to find future jobs. I was worried that filing the case may get
24 me labeled as a whistleblower, resulting in retaliation and difficulty finding work
25 for the rest of my career. Additionally, I faced financial risk in bringing this case
26 because, if I lost the case, I would be required to pay the company's costs, and
27 there was a chance they could try to make me pay their attorneys' fees as well
28

(fortunately, because of the settlement, I did not have to incur any expenses in prosecution of this action).

- d. As a condition of this settlement, I was required to compromise on and waive my separate individual claims for wrongful termination. Notably, I believe that the company retaliated against me and improperly terminated my employment after I voiced concerns. I was then forced to find a new job.
- e. I have not had to incur any out-of-pocket expenses while prosecuting this action due to the fact that my attorneys have been covering all litigation expenses.
- f. I have not been named as a plaintiff in any other PAGA cases.

3. I believe that request for the \$7,500 service award is justified based on (a) the time I have spent on the case, (b) the risks I took in bringing this case, and (c) my agreement to waive all of my individual claims for wrongful termination. I respectfully request that the Court approve the agreed-upon service award.

I declare under the penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct.

Executed on May 1, 2024, in Menifee, California.


Joshua Sheets (May 1, 2024 18:01 PDT)
Joshua Sheets