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Attorneys for Plaintiffs EDDIE ESCAMILLA,
GUSTAVO ESCAMILLA, and ARTURO
ESCAMILLA, on behalf of themselves, all others
similarly situated and on behalf of the general public.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN BERNARDINO

EDDIE ESCAMILLA, GUSTAVO
ESCAMILLA, and ARTURO
ESCAMILLA, on behalf of themselves, all
others similarly situated, and on behalf of
the general public,

Plaintiffs,

v.

KEYSTONE FREIGHT CORP.;
NATIONAL RETAIL
TRANSPORTATION, INC.; and DOES 2
through 100,

Defendants.

Case No. CIVDS1931366

**DECLARATION OF ARTURO
ESCAMILLA IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

1 I, Arturo Escamilla, hereby declare under penalty of perjury as follows:

- 2 1. I have personal knowledge of all matters stated herein, and if called as a witness, I could
3 and would competently testify thereto, except as to those matters stated upon information
4 and belief, and as to those matters, I believe them to be true.
- 5 2. I am a named Plaintiff and Class Representative in the above-captioned lawsuit, and I
6 submit this declaration in support of Plaintiffs' Motion for Final Approval of Class Action
7 Settlement.
- 8 3. I drove for Keystone Freight ("Keystone") as driver who worked under an owner operator
9 in California for more than ten years, and stopped driving for them sometime around
10 January 2019.
- 11 4. I have been in regular contact with my attorneys throughout the prosecution of this case
12 and have been kept apprised of all aspects of the case. Throughout the litigation, I have
13 always been available to provide my attorneys with helpful information for this lawsuit.
- 14 5. I understood that a large amount of work could be required of me as a class representative,
15 and I was willing to and did engage in this work. I had regular discussions with my
16 attorneys, provided them with information, responded quickly to them whenever they
17 needed me. I also reviewed and analyzed the settlement agreement and settlement papers
18 to ensure the settlement was fair and reasonable and in the best interests of the class.
- 19 6. I have and will continue to adequately represent all of the interests of the class, which
20 consists of all individuals that performed work for both Keystone and National Retail
21 ("Defendants") in California as owner operators and those who worked under the owner
22 operators at any time between October 18, 2015, through April 11, 2022. I do not have any
23 interests different from those of the class members. I initiated this lawsuit on behalf of
24 myself and the class because I wanted to fix what I perceived as problems affecting all of
25 us.
- 26 7. With my status as class representative, I will treat the interests of the class above my
27 interests.

1 8. My claims are typical of the class, because I am similarly situated to all current and former
2 owner operators and those who worked under the owner operators at any time between
3 October 18, 2015, through April 11, 2022. Thus, my interests are the same as all members
4 of the proposed class.

5 9. During the settlement negotiations, my attorneys continually communicated and explained
6 every part of the negotiation process. Having been fully informed and advised by my
7 attorneys as to the strengths and risks associated with further litigation, I gave my consent
8 to settle with Defendants for the gross settlement amount of \$1,500,000, which I find to be
9 fair and reasonable.

10 10. From the very beginning, I understood that I was participating in this case, not only for my
11 own benefit, but for the many past and present class members. Considering the risks and
12 duties associated with being a class representative in a case of this magnitude, I believe the
13 \$5,000 enhancement award request is reasonable.

14 11. I understand that this additional service award is not guaranteed and is subject to Court
15 approval. My opinion about the fairness and adequacy of the settlement in the case is not
16 based on this potential payment.

17 12. While I truly believe that I was doing the right thing in pursuing this case, I do believe that
18 I have paid a price for the greater good of other employees, who will now obtain some
19 relief through the terms of the proposed settlement.

20 13. I recognize that any resolution of this matter must be approved by the Court in terms of
21 whether the settlement is fair and reasonable, and that I am obligated to protect the
22 interests of all of class members for the Class Period.

23 I declare under penalty of perjury under the laws of the State of California that all the
24 foregoing is true and correct.

25 Dated: 8/15/2022

DocuSigned by:
By: 
ARTURO ESCAMILLA