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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

HECTOR J. MEJIA on behalf of himself
and all others similarly situated,

Plaintiffs,

v.

WALMART INC., a Delaware corporation;
and DOES 1 through 10, inclusive,

Defendant.

Case No.: CIVSB-2207614

[Assigned for all purposes to the Hon. David E.
Driscoll, Dept. S22]

**DECLARATION OF DEARL POWELL IN
SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: December 19, 2023
Time: 8:30 a.m.
Dept.: S22

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DECLARATION OF DEARL POWELL

I, Dearl Powell, declare as follows:

1. I am individual over 18 years of age. I have personal knowledge of the facts set forth below and if called to testify I could and would do so competently. I am one of the named Plaintiffs in the above-entitled case against Walmart Inc. ("Walmart" or "Defendant").

2. I was employed by Walmart as an hourly, non-exempt employee from on or about September 12, 2018, to on or about January 15, 2020.

3. Throughout my employment with Walmart, I understand that I regularly received non-discretionary incentive wages, including one described as "MYSHARE INCT" on my wage statements. I also understand that I took sick pay in the same quarter that I earned said "MYSHARE INCT." As such, I believe I was underpaid sick pay wages, such that Walmart owes me additional sick pay wages and associated penalties.

4. I understand that this action was brought on behalf of all other non-exempt employees of Walmart in the State of California, and that I am acting as one of the representatives for the Class. As one of the Class Representative, I understand that it is my responsibility to act in the best interests of the Class and not my own. I agree that I will not put my own interests ahead of that of the Class, and that I will not settle out my class claims in this lawsuit separately or independently from the Class. Moreover, I am not aware of any conflicts that exist between my interests and the interests of the Class that would impair or affect my ability to serve as representative for the Class.

5. I have and continue to be willing to assist in the investigation of this matter, including meeting, conferring, discussing the case with my attorneys; searching for and providing any necessary information and documents; making myself available for deposition, trial, or any further proceedings in this matter as required to represent the interests of the Class. I also understand my duties and responsibilities to the proposed Class and will carry out those duties as necessary.

6. I have discussed the case with my attorneys on a number of occasions, searched for and provided information and documents to my attorneys to help with the prosecution of the case, and reviewed pleadings and documents in the case, including the complaint, declarations filed, and the Settlement Agreement.

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

6 Executed on October 10, 2023, at San Diego, California.

DocuSigned by:

David Powell
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