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Attorney for Plaintiff
ANTHONY GARCIA

[Additional Counsel on Following Page]

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

ANTHONY GARCIA, on behalf of himself, and
all persons similarly situated,

Plaintiff,

v.

SYSCO RIVERSIDE, INC., a Delaware
Corporation; SYSCO CORPORATION, a
Delaware Corporation; and DOES 1 through 50
inclusive,

Defendants.

Case No. CVRI2103935

[Consolidated with Case No.: CVRI2201916]

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

**DECLARATION OF HOWARD MOORE
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION AND PAGA
SETTLEMENT**

Date: June 26, 2024
Time: 8:30 a.m.
Dept.: Dept. 1

Trial Date: None set

1 James R. Hawkins (SBN 192925)
2 Christina M. Lucio (SBN 253677)
3 Mitchell J. Murray (SBN 285691)

JAMES HAWKINS APLC

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8 Attorneys for Plaintiffs HOWARD MOORE,

9 on behalf of himself and all others similarly situated

1 I, Howard Moore, declare as follows:

2 1. I am over the age of eighteen (18) and a resident of the State of California. I am one of
3 the named plaintiffs 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-paid, non-exempt truck driver for Sysco Riverside, Inc.
6 (“Sysco”) (with Sysco Corporation, “Defendants”) from approximately October 2020 to June 2021.

7 3. Because I thought the practices at Sysco may not be lawful, I decided to seek legal
8 advice about my work experiences at Sysco and about filing a lawsuit to obtain relief for my
9 grievances and potentially other employees for the same grievances. I was referred to James Hawkins
10 APLC and spoke with their attorneys. After speaking with the attorneys about my situation and what it
11 meant to bring a class and PAGA action, 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
13 who worked for Defendants in California, and to try 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
15 that if I do not win my case, then I could be liable for Defendants’ litigation costs. I accepted that risk
16 in this case. I also understood that an individual case would potentially have resolved much faster than
17 a class action 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
19 matter. I have regularly conferred with my attorneys regarding the case as part of my responsibilities
20 as a class and PAGA representative. I have searched for and provided any necessary information and
21 documents to my attorneys, including my paystubs, letters and e-mails, policy documents, and other
22 employment documents; reviewed documents and pleadings in this case, including my PAGA letter,
23 the class and PAGA action complaints, the settlement agreement, and this declaration; and
24 communicated with other employees regarding their experiences working with Defendants. In
25 addition, I will also make myself available for any further proceedings in this matter as required to
26 represent the interests of the Class. I also understand my duties and responsibilities to the proposed
27 Class and will continue carry out those duties.

28 6. I routinely checked in with my attorneys and their staff to make sure that they had all
my most current information and any additional information that I had obtained. I made myself

1 available to answer any questions my attorneys had about Defendants' practices and treatment of their
2 employees whenever they needed me, including during mediation. I responded to them as quickly as
3 possible and gave them as much information as I could.

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

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

12 9. I am proud of the result and accomplishment of this lawsuit. I feel that it is a positive
13 accomplishment and understand that other people will benefit because of the actions that I have taken.

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

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

24 12. I believe my work in this matter is meritorious on these points for the reasons set forth
25 above. Therefore, I request that the Court preliminarily approve a Class Representative Service
26 Payment in the amount of \$7,500 for my efforts and active participation in the case and for the
27 broader, general release of all claims that I have or may have against Defendants in connection with
28 the settlement.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct. Execute on 05/26/24 in Riverside, California.

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How. Moore (May 26, 2024 00:28 PDT)

6 Howard Moore
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