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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 ANTHONY GARCIA
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)
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7 Attorneys for Plaintiffs HOWARD MOORE,
8 on behalf of himself and all others similarly situated
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1 I, Anthony Garcia, 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 2003 to 2020.

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 Workers'
10 Advocate Law Group PC and spoke with attorney Samy Harmoush. After speaking with him about my
11 situation and what it meant to bring a class and PAGA action, I decided to proceed with a lawsuit
12 against my former employer. At the time, I also agreed to represent all other similarly situated non-
13 exempt employees who worked for Defendants in California, and to try to obtain relief for the entire
14 class.

15 4. I am aware and have been aware from the inception of the case, that there is the risk
16 that if I do not win my case, then I could be liable for Defendants’ litigation costs. I accepted that risk
17 in this case. I also understood that an individual case would potentially have resolved much faster than
18 a class action and involved much less financial risk than a class action.

19 5. I have and continue to be willing to assist in the investigation and prosecution of this
20 matter. I have regularly conferred with my attorneys regarding the case as part of my responsibilities
21 as a representative. I have searched for and provided any necessary information and documents to my
22 attorneys, including my paystubs, letters and e-mails, policy documents, and other employment
23 documents; reviewed documents and pleadings in this case, including my PAGA letter, the PAGA
24 action complaints, the settlement agreement, and this declaration; and communicated with other
25 employees regarding their experiences working with Defendants. In addition, I will also make myself
26 available for any further proceedings in this matter as required. I also understand my duties and
27 responsibilities and will continue carry out those duties.

1 6. I routinely checked in with my attorneys and their staff to make sure that they had all
2 my most current information and any additional information that I had obtained. I made myself
3 available to answer any questions my attorneys had about Defendants' practices and treatment of their
4 employees whenever they needed me, including during mediation. I responded to them as quickly as
5 possible and gave them as much information as I could.

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

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

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

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

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

25 12. I believe my work in this matter is meritorious on these points for the reasons set forth
26 above. Therefore, I request that the Court preliminarily approve a Class Representative Service Award
27 in the amount of \$7,500 for my efforts and active participation in the case and for the broader, general
28 release of all claims that I have or may have against Defendants in connection with 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 / 29 / 2024 in Perris, California.

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