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7 Attorneys for Plaintiff Colbourne (Cont. Next Page)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

THE COUNTY OF SAN DIEGO

RAYNE DEALERSHIP WAGE AND) Judicial Council Coordination
10 HOUR CASES) Proceeding: No. 5420
11)
12 Colbourne v. Rayne Dealership) SUPERIOR COURT OF CALIFORNIA
Corporation) COUNTY OF SAN DIEGO NO.
13 Pulley v. Rayne Dealership Corporation) 25CU016047C
14)
15) SUPERIOR COURT OF CALIFORNIA
16) COUNTY OF SAN DIEGO
17) NO. 25CU025209C
18)
19) **DECLARATION OF THOMAS D.**
20) **RUTLEDGE ISO PLAINTIFFS'**
21) **MOTION FOR PRELIMINARY**
22) **APPROVAL OF CLASS ACTION**
23) **AND PAGA SETTLEMENT**
24)
25) Judge: Hon. Katherine A. Bacal
26) Dept: C-63
27) Date: September 11, 2026
28) Time: 1:30 p.m.
)
) [Decs. of Anthony Colbourne, Ian
) Pancer and Joe Virgilio, [Proposed]
) Order, MPA ISO Motion, and Not. of
) Mot. filed concurrently herewith]

1 Ian Pancer (SBN 246600)
Joe Virgilio (SBN 344081)
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7 Attorneys for Plaintiff Anthony Colbourne
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10 **DECLARATION OF THOMAS D. RUTLEDGE**

11 I, THOMAS D. RUTLEDGE, declare and state as follows:

12 1. I am the counsel of record for the named Plaintiff, the putative Class, and
13 a quasi-attorney general for the State of California and Aggrieved Employees as their
14 designated proxy pursuant to the Private Attorney General Act (PAGA). As such, I
15 am fully familiar with the facts, pleadings, and history of this matter. The following
16 facts are within my own personal knowledge, and if called as a witness, I could testify
17 competently to the matters stated herein.

18 2. This declaration is submitted in support of Plaintiffs' Motion for
19 Preliminary Court Approval of a Class and PAGA Settlement.

20 **My Experience Handling Class and Representative Actions.**

21 3. The Law Office of Thomas D. Rutledge consists of me, one associate,
22 several paralegals, and various support staff during all times relevant to this litigation.

23 4. I have had the privilege of practicing law for 30 years.

24 5. I have served the public my whole adult life.

25 6. Before practicing law, from about April 1987 to April 1994, beginning at
26 the age of 21, I proudly served in the U.S. Army National Guard in various capacities:
27 first, as a Private First Class in a combat engineer's unit; and in 1990, after receiving
28 my commission from the Commonwealth of Massachusetts's State Officers'

1 Candidate School, as a field artillery officer, mortar platoon leader, and infantry
2 company executive officer in the Commonwealth of Pennsylvania (1992-1994) and
3 Massachusetts (1987-1992) Army National Guard.

4 7. In 1990, I earned a B.A. in History and Political Science from the
5 University of Massachusetts, Boston, Massachusetts.

6 8. In 1992, I earned a C.S.S. in Management and Administration from
7 Harvard University, Cambridge, Massachusetts.

8 9. In 1995, I earned a J. D. from Temple University and became a member
9 of the State Bars of Florida and Massachusetts.

10 10. In 1999, I obtained admission to the California Bar.

11 11. I am a former active member in the San Diego County Bar Association
12 (and several committees therein, such as the Labor and Employment Law Section,
13 Litigation Section, and Family Law Section), a current member of the California
14 Employment Lawyers Association, Consumer Attorneys of San Diego (CASD), and a
15 former member of the National Employment Lawyers Association.

16 12. I am the former Co-Chairman to the San Diego County Bar Association
17 Labor and Employment Law Section.

18 13. I am a former Board of Director for CASD (served 2013-2016).

19 14. I am a former U.S. Navy Judge Advocate General's (JAG) Corps
20 attorney.

21 15. From 1995 to 2002, I served in various capacities on active duty as a
22 prosecutor, defense attorney, and staff judge advocate in the U.S. Navy JAG Corps
23 handling hundreds of criminal and civil litigation matters.

24 16. I served a total of 20 years in the U.S. military retiring from the U.S.
25 Naval Reserve in 2008.

26 17. From 2002 to 2004, I was a litigation associate at Christensen, Miller,
27 Fink, Jacobs, Glaser, Weil & Shapiro LLP in Los Angeles, California, a firm of more
28 than 100 lawyers at that time, working on complex litigation.

1 18. From 2004 to 2009, I was a litigation associate for Branton & Wilson,
2 APC, a firm of more than 15 lawyers at the time, working mostly on employment law
3 matters (defense and plaintiff).

4 19. From 2009 to the present, I have focused my practice exclusively on
5 prosecuting employment law claims on behalf of employee-plaintiffs, with a very
6 small amount of my practice devoted to personal injury, landlord-tenant, and family
7 law matters.

8 20. All my employee-plaintiffs' cases, including this case, are accepted on a
9 nothing down contingency fee basis.

10 21. I personally have represented thousands of class members and aggrieved
11 employees in over three dozen class and/or representative (Private Attorney General
12 Act) actions prosecuting wage and hour claims, more than 20 of which were certified
13 as class actions. *See, e.g., Julio, et al. v. Express Tires*, S.D. Superior Court Case No.:
14 37-2010-00097801; *Epton v. ADP TotalSource, et al.*, U.S.D.C. Case No.: 11cv0856-
15 JM; *Tuter, et al. v. King's Seafood Company, LLC, et al.*, San Diego Superior Court
16 Case No.: 37-2011-00084756; *Crosby v. CHMB*, San Diego Superior Court Case No.:
17 37-2011-0087583-CU-OE-CTL; *Diego v. JMS Properties LLC, et al.*, San Diego
18 Superior Court Case No.: 37-2013-00056177-CU-0E-CTL; *Mitchell, et al. v. Phone*
19 *Ware Inc., et al.*, San Diego Superior Court Case No.: 37-2014-00008449-CU-OE-
20 CTL; *Long, et al. v. Stanley Black & Decker, Inc., et al.*, U.S.D.C. Case No.:
21 14CV1246 JLS BGS; *Villagrana v. 7-Eleven*, San Diego Superior Court Case No.:
22 37-2014-00008449-CU-OE-CTL; *Parnell, et al. v. Harte-Hanks Shoppers, Inc., et al.*,
23 Orange Superior Court Case No.: 10-2014-00736236-CU-OE-CXC; *Martz v. T.R.L.*
24 *Systems, Inc.*, San Bernardino Superior Court Case No.: CIVDS1515312; *Rosentein v.*
25 *Pratt and Whitney, et al.*, U.S.D.C. Case No.: 15CV2183 JM/JLB; *Don v. Penn*, San
26 Diego Superior Court Case No.: 37-2016-00025005; *Ramirez v. Coastal Trans. Serv.*,
27 San Diego Superior Court Case No.: 37-2016-00020248; *Velez v. CoWorx Staffing*
28 *Services LLC*, San Bernardino Superior Court Case No.: CIVDS1803229; *Martz v.*

1 *HCI Systems Inc.*, San Bernardino Superior Court Case No.: CIVDS1607545,
2 *Babouchian, et al. v. Soleil Communications Inc., et al.*, San Diego Superior Court
3 Case Number: 37-2017-00044756-CU-OE-CTL, and many others.

4 22. I have attended dozens of lectures presented by legal professionals on the
5 topic of prosecuting class and representative action litigation in the last 25 years, I
6 have tried wage and hour cases in Superior Court, AAA, and JAMS private
7 arbitrations, I have appeared before the Labor Commissioner on scores of wage
8 claims, and I have handled the representation of parties in dozens of mediations
9 before well-known mediators, such as Mark Rudy, Jeff Ross, Mike Dickstein, David
10 Rotman, Robert Kaplan, Judge Herbert B. Hoffman (Ret.), and many others.

11 **Conclusion.**

12 23. I have been engaged in all aspects of this litigation.

13 24. I am the originating attorney on this case.

14 25. I highly recommend that the Court approve the settlement.

15 Except as to those matters made upon information and belief, I declare under
16 penalty of perjury under the laws of the State of California that the foregoing is true
17 and correct.

18 Executed this day of August 17, 2026, in the County of San Diego, California.

19 /s/Thomas D. Rutledge

20 Declarant
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COUNTY OF SAN DIEGO

I, Joe Virgilio, the undersigned, am employed in the County of San Diego, State of California; I am over the age of 18 and not a party to the within action; my business address is 4603 Mission Blvd., Ste 220, San Diego, CA 92109.

On August 17, 2026, I served the foregoing document(s) described as:

**DECLARATION OF THOMAS D. RUTLEDGE ISO PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA
SETTLEMENT**

on the interested parties to this action by placing a copy thereof enclosed in a sealed envelope addressed as follows: **See Attached List.**

☐ **(BY MAIL)** I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. This correspondence was deposited with the United States Postal Service this same day in the ordinary course of business at our Firm's office address in San Diego, California. Service made pursuant to this paragraph, upon motion of a party served, shall be presumed invalid if the postal cancellation date of postage meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

☒ **(BY E-MAIL via E-file)** I am readily familiar with the business practice for collection and processing of correspondence for emailing with the Court authorized third-party vendor. This correspondence was sent via email to the above recipients directly and via a third-party vendor pursuant to the vendor's policies and practices.

☐ (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the above named addressee(s).

☐ (BY FACSIMILE) I caused such documents to be delivered via facsimile to the offices of the addressee(s) at the following facsimile number:

Executed August 17, 2026, at San Diego, California.

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

/s/ Joe Virgilio
Joe Virgilio

SERVICE LIST

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