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5 *Attorneys for Plaintiff and the Class*

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SONOMA**

10 SETH SWAN; individually, and on behalf of
other members of the general public similarly
11 situated and on behalf of other aggrieved
employees pursuant to the California Private
12 Attorneys General Act;

13 Plaintiff,

14 vs.

15 PACE SUPPLY CORP., a California
corporation; and DOES 1 through 100, inclusive,

16 Defendants.
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Case No.: SCV258764

Honorable René Auguste Chouteau
Department 18

CLASS ACTION

**DECLARATION OF SETH SWAN IN
SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
SETTLEMENT, ATTORNEYS' FEES,
COSTS, AND SERVICE AWARD**

[Notice of Motion and Motion for Final
Approval of Class Settlement, Attorneys'
Fees, Costs, and Service Award; Declaration
of Class Counsel (Edwin Aiwarzian);
Declaration of Settlement Administrator
(Jeremiah Kincannon); and [Proposed] Final
Approval Order and Judgment filed
concurrently herewith]

Date: February 6, 2019
Time: 3:00 p.m.
Department: 18

Complaint Filed: May 6, 2016
Trial Date: None Set

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1 4. Throughout the case, I was available to answer any questions my attorneys had,
2 and available to speak and meet with my attorneys whenever they needed me. I responded to
3 them as quickly as possible and gave them as much information and identified as many
4 documents as I could. I spent at least 6 additional hours speaking with my attorneys about the
5 case, identifying potential witnesses, providing my attorneys with documents and information
6 concerning the case, and also describing policies, practices, and procedures of Pace Supply. In
7 addition, during the discovery phase of this case, I spent at least an additional 10 hours reviewing
8 Pace Supply's discovery requests, locating documents, and providing responses and
9 supplemental responses to my attorneys.

10 5. On February 8, 2017, I attended a full day of deposition that lasted approximately
11 7 hours. I spent at least 3 hours preparing for the deposition and approximately 2 additional
12 hours traveling to and from the deposition. After the deposition, I spent at least 2 hours
13 reviewing my testimony and discussing the contents of the deposition transcript with my
14 attorneys.

15 6. As far as the settlement is concerned, I was available to review documents and
16 answer any questions my attorneys had. I spent about 2 hours reviewing the settlement
17 agreement and about 1 hour asking questions and discussing the potential settlement with my
18 attorneys before signing the settlement agreement.

19 7. I believe that I have done everything that my attorneys have asked of me and have
20 tried, to the best of my ability, to represent the class. I think my efforts helped to get the result
21 obtained in this case, and as a class representative, I respectfully request that the Court award me
22 a service award of up to the amount of \$6,000 for my active participation in this case. Taking
23 into consideration the time that I have dedicated to this case, I believe that this amount is
24 reasonable.

25 8. I am not related to anyone associated with Lawyers *for* Justice, PC.

26 9. I have not entered into any undisclosed agreements, nor have I received any
27 undisclosed compensation in this case. The only compensation I will receive is whatever amount
28 the Court awards as a service award, as well as my share of the settlement fund as a class

1 member.

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

4 Executed this 29 day of March 2018, at Petaluma, California.

5 
6 Seth swan (Mar 29, 2018)

Seth Swan