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Attorneys for Plaintiff, JEREMIAH CLAIBORNE
on behalf of himself and all others similarly situated

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

JEREMIAH CLAIBORNE, PABLO CAMPOS
HERNANDEZ and MARCOS RODRIGUEZ
and VICTOR AVALOS on behalf of
themselves and all others similarly situated

Plaintiffs,

vs.

PERFORMANCE TRANSPORTATION, LLC,
a California limited liability company;
PERFORMANCE FOOD GROUP, INC., a
Colorado corporation; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 22STCV31766

ASSIGNED FOR ALL PURPOSES TO:
JUDGE: Hon. David S. Cunningham III
DEPT: S11

**DECLARATION OF JEREMIAH
CLAIBORNE IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND PAGA
SETTLEMENT**

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Attorneys for Plaintiffs MARCOS RODRIGUEZ
And VICTOR AVALOS

DECLARATION OF JEREMIAH CLAIBORNE

I, JEREMIAH CLAIBORNE, declare as follows:

1. I am a Named Plaintiff and Class Representative in the case of *Jeremiah Claiborne et al. v. Performance Transportation, LLC et al.* (Case No. 22STCV31766, Los Angeles County Superior Court). I make this declaration on the basis of my personal knowledge and if asked to testify thereto I could and would do so.

2. I was employed by Defendants Performance Transportation, LLC, Performance Food Group, Inc., ("Performance Transportation") from approximately May 2021 through on or about September 29, 2021. During my employment with Defendants, I occupied a non-exempt position of Class A Truck Driver. My duties and responsibilities included, but were not limited to, delivering and picking up goods at various locations within the state of California.

3. Prior to retaining the law firm of James Hawkins APLC to redress the grievances that I had against Performance Transportation, I was made aware of the advantages and disadvantages of litigation. I was also made aware of my responsibilities as both a Plaintiff and a class and PAGA representative prior to filing the class action complaint which was filed on or about September 28, 2022. I accepted the responsibility and agreed to move forward. I pledged to participate actively in the lawsuit.

4. During the litigation of this case, I have continuously interacted with my attorneys to discuss the status of the case. I provided relevant oral and documentary information necessary to prosecute this case. By way of example, I searched for and provided relevant documents pertaining to my employment with Performance Transportation and engaged in multiple discussions with my attorneys regarding my employment. These discussions include, but are not limited to, the following topics: the policies, practices and specific working conditions under Defendants. I have also had numerous discussions with my attorneys regarding the progress of this case. I have spent approximately 25 to 30 hours assisting my attorneys in their litigation of this case.

5. By agreeing to bring this action, I formally accepted the responsibilities of representing the interests of all similarly situated employees in California and willingly chose to

7. I also risked the potential stigma of being a named plaintiff in a representative action labor dispute which could affect my further employability in the industry or with any prospective employer who learns of my lawsuit against a former employer.

9. I have not directly experienced negative affect(s) in relation to any further employment opportunities because of this lawsuit. However, I did risk negative effects on my employability when I formally accepted the responsibilities of a class representative and willingly chose to assume significant risks and potential costs that I alone might have had to bear if judgement would have been rendered in favor of Defendants.

I hereby declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 12/17, 2024, at Bakersfield, California.

DECLARATION OF JEREMIAH CLAIBORNE