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Attorneys for Plaintiffs, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

ANTHONY VARGAS, individually, and
KENNETH SLINGLUFF, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiffs,

vs.

ELEMENTIS SPECIALTIES, INC., a
Delaware Corporation; and DOES 1 through
20, inclusive;

Defendants.

Case No.: CIVSB2224689

*[Assigned to Hon. Jessica Morgan, Dept S26,
for all purposes]*

**DECLARATION OF PLAINTIFF
KENNETH SLINGLUFF IN SUPPORT
OF PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF CLASS ACTION
SETTLEMENT**

I, Kenneth Slingsluff, state and declare:

1. I am a Plaintiff in the above captioned action and have personal knowledge of all matters stated herein and could competently testify thereto. I make this declaration in support of the motion for preliminary approval of the class action settlement. I believe that the settlement is fair and reasonable and constitutes a fair resolution of the claims alleged.

2. Throughout my employment with Defendant, I had issues with how I got paid, the lack of breaks and meals. As a result, I contacted attorneys regarding these issues.

3. I then contacted my attorneys (Lauby, Mankin & Lauby LLP) and was informed of an ongoing class action lawsuit. I could have either initiated a separate lawsuit or joint the

1 pending class action case. This decision was difficult as I was also concerned that, if I brought
2 this action, I might have a difficult time finding other jobs in the future, especially in the same
3 field. But in the end, I decided to join the ongoing lawsuit as it was important to hold the
4 company accountable for how they treated their employees and help fix these problems moving
5 forward.

6 4. By bringing this case as a class action, I undertook significant risks and stresses at
7 a high emotional cost without any guarantee of success. For example, by joining this lawsuit, I
8 was concerned as being labeled as a whistle blower. I was stressed and have constantly worried
9 about the risk that this case could impact my ability to find future jobs since the case information
10 is all available online.

11 5. I also respectfully request that the Court approve the agreed-upon service award
12 because I agreed to set aside my personal interests and to put the interests of the class ahead of
13 my own personal claims. In fact, as a condition of this class action settlement, I was required to
14 compromise on and waive all possible individual claims against the company. This was a
15 difficult decision because I believe that I had strong individual claims and intended to look into
16 bringing those claims. But I put the interests of the class ahead of my own and agreed to waive
17 all of my claims against the company.

18 6. I have spent more than 80 hours engaged in activities to benefit the class. I have
19 been an active participant in this litigation, including assisting my attorneys in various ways and
20 making myself available when needed. For example, I have assisted my attorneys by explaining
21 and discussing the company's practices and their general practices and procedures, but
22 specifically providing details about the various issues and the policies related to Defendant,
23 locating and analyzing documents, among others. I also assisted in settlement discussions, helped
24 obtain a highly favorable result for the class, and reviewed all settlement documents and believe
25 that this settlement is fair for the class.

26 7. Lastly, by becoming a plaintiff in this case came with a major financial risk
27 because, if I lost the case, I would be required to pay the company's costs, and there was a
28 chance they could try to make me pay their attorneys' fees as well.

8. Therefore, I respectfully request that the Court award the service award since that amount is justified based on the substantial time I spent on this case, as well as the risks and stresses I faced and will continue to face to secure this class action settlement to benefit the other employees.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on Jun 14, 2024, at Odessa, Texas.

By: Kenneth Slingluff
Kenneth Slingluff (Jun 14, 2024 11:31 CDT)