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Attorney for Plaintiff FRANCISCO GILLEY, individually,
and on behalf of all others similarly situated.

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

FRANCISCO GILLEY, individually
and on behalf of all others similarly
situated,

Plaintiff,

vs.

PRO-A MOTORS, INC.; and DOES 1
through 20, inclusive,

Defendants.

Case No. 25STCV21168

Assigned for all purposes to:
Hon. Judge Samantha P. Jessner
Dept. 7

**DECLARATION OF FRANCISCO GILLEY IN
SUPPORT OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: October 5, 2026
Time: 10:00 am
Dept. 7

Action Filed: July 17, 2025
Trial Date: None Set

1 I, Francisco Gilley, declare as follows:

2 1. I am the named Plaintiff and proposed Class Representative in this action. I am over
3 the age of eighteen and am fully competent to make this declaration. I have personal knowledge of
4 the facts set forth in this declaration, and if called as a witness, I could and would competently
5 testify to them.

6 2. I submit this declaration in support of the Motion for Preliminary Approval of Class
7 Action and PAGA Settlement.

8 **BACKGROUND AND INITIATION OF THE LAWSUIT**

9 3. I am a former employee of Defendant Pro-A Motors, Inc. ("Defendant" or "Pro-A").
10 I worked for Defendant as a non-exempt warehouse forklift driver in California. During my
11 employment, I experienced and observed various practices regarding the payment of wages,
12 overtime, and the provision of meal and rest breaks that I believed were unfair and violated
13 California law.

14 4. Because of my concerns, I sought legal advice and retained the Law Office of Steven
15 McNicholl to investigate these issues. I agreed to step forward and serve as the named plaintiff to
16 seek unpaid wages and penalties not just for myself, but for all of my former coworkers who were
17 subjected to the same policies.

18 **UNDERSTANDING OF FIDUCIARY DUTIES AND ABSENCE OF CONFLICTS**

19 5. Before filing this lawsuit, my attorney carefully explained what it means to be a
20 Class Representative. I understand that as a Class Representative, I have a fiduciary duty to the
21 absent Class Members. This means I have a legal obligation to look out for their best interests and
22 to place their interests above my own personal interests at all times during this litigation and
23 settlement process.

24 6. I have agreed to act as the Class Representative and take these responsibilities very
25 seriously.

26 7. I do not have any conflicts of interest with the other Class Members. I do not hold
27 any interests that are adverse to them. My goal has always been to obtain the best possible recovery

1 for everyone who was affected by Defendant's policies. I have reviewed the proposed Settlement
2 Agreement with my attorney, and I strongly believe that the settlement of \$337,500.00 is fair,
3 reasonable, adequate, and in the best interests of the Class.

4 **EFFORTS EXPENDED ON BEHALF OF THE CLASS**

5 8. Since before the lawsuit was filed in July 2025, I have been actively involved in the
6 prosecution of this case. I estimate that I have spent approximately 30 hours performing work on
7 behalf of the Class, which includes the following activities:

- 8 • **Initial Investigation:** I spent time searching for and gathering my employment
9 records, pay stubs, schedules, and communications with management to provide to
10 my attorney. I participated in several lengthy intake interviews so my attorney could
11 fully understand the nature of the claims. I reviewed my entire personnel file
12 obtained from the Pro-A Motors prior to filing this lawsuit to assist my attorney with
13 the facts and issues surrounding this case.
- 14 • **Reviewing Pleadings:** I reviewed drafts of the initial Complaint and the First
15 Amended Complaint to ensure the factual allegations accurately reflected what
16 happened at Pro-A Motors.
- 17 • **Assisting with Discovery:** I regularly communicated with my attorney via phone
18 and email to answer specific factual questions that arose during the informal
19 discovery process and while my attorney was analyzing the data sample provided
20 by Defendant.
- 21 • **Mediation:** I cleared my schedule to be fully available for the all-day mediation on
22 March 10, 2026, with Judge Brian Walsh. During the mediation, I remained in close
23 contact with my attorney, provided answers to my attorney's follow up questions,
24 discussed the mediator's proposals, evaluated the strengths and weaknesses of our
25 case as the negotiations progressed, and ultimately authorized the settlement.

