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Attorneys for Plaintiffs PHILLIP BERNAL and TRUHILL NOEL

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN BERNARDINO

PHILLIP BERNAL, TRUHILL NOEL,
KHYELL MARTIN, DAMIEN MCNORTON,
WADDIE EARNEST, GILBERT ESTRADA,
CARMEN HERNANDEZ, and WENDY
QUINTERO, individually, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

EXPRESS MESSENGER SYSTEMS, INC.,
dba ONTRAC, a Minnesota Corporation,
ONTRAC LOGISTICS, INC., a Delaware
Corporation, and DOES 2-10, Inclusive,

Defendants.

Case No. CIVSB2319614
ASSIGNED FOR ALL PURPOSES TO:
The Honorable Joseph Ortiz
Department S-17

CLASS AND REPRESENTATIVE ACTION

**DECLARATION OF WALTER L. HAINES
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY APPROVAL OF
CLASS AND REPRESENTATIVE ACTION
SETTLEMENT**

**(Hearing reserved per September 24, 2025
Minute Order)**

Date: January 6, 2026
Time: 1:30 p.m.
Dept. S-17

1 I, Walter L. Haines, declare:

2 1. I am an attorney licensed to practice before all courts of the State of California. I am
3 counsel of record for Plaintiffs Phillip Bernal and Truhill Noel in this action. I make this declaration in
4 support of Plaintiffs' Motion for Preliminary Approval of Class and Representative Action Settlement. I
5 make this declaration based on my personal knowledge, and if called to testify, I could and would
6 competently testify to the matters contained in this declaration.

7 2. The Settlement Agreement in this action is the result of vigorous and competent
8 representation of Plaintiffs, and arms'-length, contentious negotiations with Defendant to reach the best
9 possible outcome for class members and aggrieved employees. Based on my experience as Class
10 Counsel, I believe that the proposed Settlement is fair, reasonable, and adequate for the class and
11 aggrieved employees.

12 3. I have been practicing law for 40 years and I am highly experienced in actions of this
13 nature. I am the most senior attorney in my firm, United Employees Law Group, and worked on the
14 litigation of this matter. I formed United Employees Law Group in 2005, primarily to represent
15 employees in their wage claims. I have represented over 1,500 clients in wage and hour disputes of
16 which more than 300 cases were class actions with settlements totaling over \$400,000,000. These class
17 action cases include Fortune 500 companies such as Pepsi, Intel, Home Depot, Wells Fargo, Bank of
18 America, Cisco Systems, First American Title Co., Yahoo!, WellPoint, Inc., Sun Microsystems, and
19 Kaiser Foundation Hospitals.

20 4. United Employees Law Group has prosecuted this litigation solely on a contingent-fee
21 basis and has been completely at risk that it would not receive any compensation for prosecuting claims
22 against the defendant.

23 5. I have no conflicts of interest with the class members/aggrieved employees in this action.
24 I am not related to the named Plaintiffs. I have not previously represented Defendant in any matter.

25 6. In sum, I am well-suited to act as Class Counsel and will continue to vigorously
26 represent the interests of the class members/aggrieved employees.

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1 I declare under the penalty of perjury of the laws of California that the foregoing is true and
2 correct to the best of my knowledge.

3 Executed this 12th day of November 2025, in Los Angeles, California.

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6 WALTER L. HAINES
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