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Attorneys for Plaintiff GLEN FERRELL

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

GLEN FERRELL, individually, and on behalf
of other similarly situated employees,

Plaintiff,

vs.

BIONANO GENOMICS, INC.; and DOES 1
through 25, inclusive,

Defendants.

Case No.: 25CU003686C

Honorable Mark T. Cumba
Department C-65

**DECLARATION OF PLAINTIFF
GLEN FERRELL IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Complaint Filed: January 22, 2021
FAC Filed:
Trial Date: Not Set

1 **DECLARATION OF GLEN FERRELL**

2 I, Glen Ferrell, declare and state as follows:

3 1. I am over the age of eighteen (18) and a resident of the State of California. I am the
4 named plaintiff in the above-captioned case. I have personal knowledge of the facts and statements
5 set forth in this declaration, and if called upon to testify, I could and would competently testify thereto.

6 2. I was employed by Defendant Bionano Genomics, Inc. ("Defendant") as an hourly-
7 paid, non-exempt Logistics Clerk from approximately March 2021 to approximately January 2022.

8 3. Because I thought the practices at Defendant may not be lawful, I decided to seek legal
9 advice about my work experiences at Defendant and about filing a lawsuit to obtain relief for my
10 grievances. I contacted Blackstone Law, APC and spoke with their attorneys. I wanted to take steps
11 to make sure Defendant was held accountable for not properly compensating its employees for all
12 hours worked and for non-compliant meal and rest breaks. After speaking with the attorneys, I also
13 investigated class and representative action lawsuits on my own. Thereafter, I further consulted with
14 the attorneys at Blackstone Law, APC about my situation, class actions, representative action lawsuits
15 under the Private Attorneys General Act ("PAGA"), and what it meant to bring a class and PAGA
16 action so that I understood what I was considering doing.

17 4. I have regularly conferred with my attorneys regarding the case as part of my
18 responsibilities as a class and PAGA representative. This process included searching for and providing
19 documents concerning my employment with Defendant, answering any questions my attorneys had
20 about the documents, providing information regarding the company's practices and the duties of other
21 hourly-paid and/or non-exempt employees, and helping my attorneys develop a strategy as to what
22 additional documents and information they could seek to obtain from Defendant.

23 5. I routinely checked in with my attorneys and their staff to make sure that they had all
24 of my most current information and any additional information that I had obtained. I made myself
25 available to answer any questions my attorneys had about Defendant's practices and treatment of its
26 employees whenever they needed me. I responded to them as quickly as possible and gave them as
27 much information as I could.

28 6. I understood that in the event this matter did not settle and proceeded with trial, I would

1 need to be in court to participate in the trial. I was ready to perform that role, as well as fulfill any
2 responsibilities that are necessary for this lawsuit.

3 7. I know that I took a sizeable risk by bringing and pursuing this lawsuit for several
4 reasons. First, I understood that if I lost, I would potentially have to pay the costs in the lawsuit. I
5 also understood there was a risk of losing any job and/or income due to the time that I would have to
6 spend fulfilling my responsibilities in this matter, including having to attend the trial, if needed. In
7 contrast, the other employees who will be receiving money from this lawsuit did not have to file a
8 claim or take the risk that I took in bringing this action.

9 8. I reviewed the settlement agreement, discussed the settlement agreement with my
10 attorneys, and asked them questions before signing it.

11 9. I believe that I have done everything that my attorneys have asked of me and tried, to
12 the best of my ability, to seek relief for the Class, the PAGA Employees, and the State of California.
13 I have spent approximately 45-50 hours participating in this case as described above. I believe my
14 efforts helped get the result obtained in this case.

15 10. I understand that any resolution of this lawsuit on a class wide basis is subject to court
16 approval, and any settlement must be designed in the best interest of the Class as a whole. At all times
17 throughout the course of this litigation I have considered the interests of the Class and put them before
18 my own personal interests.

19 11. I understand that incentive or enhancement awards are discretionary and intended to
20 compensate named plaintiffs for: the quality and quantity of the work done on behalf of the class and
21 other employees, the financial and/or reputational risk undertaken in bringing the class and/or PAGA
22 action, and an acknowledgment of the benefits resulting from the representative's actions. I believe
23 my work in this matter is meritorious on these points for the reasons set forth above.

24 12. I respectfully request that the Court approve and award me an Enhancement Payment
25 in the amount of \$10,000 for my efforts and active participation in the case and for the broader, general
26 release of all claims that I have or may have against Defendant in connection with the settlement.
27 Taking into consideration the time that I dedicated to this case, I believe that this amount is reasonable.

28 13. I am not related to anyone associated with Blackstone Law, APC.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct. Executed on 04/21/2026, at Chula Vista, California.

3 *Glen Ferrell*
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