

HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
Fletcher W. Schmidt (SBN 286462)
fschmidt@haineslawgroup.com
Matthew K. Moen (SBN 305956)
mmoen@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

AEGIS LAW FIRM, PC
SAMUEL A. WONG, State Bar No. 217104
KASHIF HAQUE, State Bar No. 218672
JESSICA L. CAMPBELL, State Bar No. 280626
9811 Irvine Center Drive, Suite 100
Irvine, California 92618
Telephone: (949) 379-6250
Facsimile: (949) 379-6251
Email: jcampbell@aegislawfirm.com

Attorneys for Plaintiffs

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

RUBEN HERNANDEZ, as an individual and
on behalf of all others similarly situated,

Plaintiff,

vs.

NEOVIA LOGISTICS SERVICES, LLC, a
Delaware Limited Liability Company; NEOVIA
LOGISTICS DISTRIBUTION, LP, a Delaware
Limited Partnership; and DOES 1 through 100,

Defendants.

Case No.: CIVSB 2305867

**DECLARATION OF PATRICK JOSEPH
NEIMS IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: September 11, 2024
Time: 8:30 a.m.
Dept.: S36

Action Filed: March 2, 2023
Trial Date: None Set

1 I, Patrick Joseph Neims, hereby declare as follows:

2 1. I am one of the named Plaintiffs in the above-entitled matter.

3 2. I am making this declaration in support of Plaintiffs' Motion for Preliminary
4 Approval of Class Action Settlement. I have personal knowledge of the matters stated herein and
5 could and would competently testify thereto.

6 3. I worked for Defendant as a Material Handling Equipment Operator from
7 approximately August of 2021 to June of 2022.

8 4. Based on my experience and knowledge of Defendant's wage and hour policies and
9 my familiarity with its employment practices, I worked with my attorneys to bring claims on my
10 behalf and on behalf of the other employees at Defendant.

11 5. I am seeking to become a Class Representative in this case for the purpose of having
12 the Settlement Agreement approved. I believe my experiences are similar to other employees who
13 worked for Defendant. I believe we were all subject to the same employment policies and practices.

14 6. I do not have conflicts with other employees that would hinder my ability to
15 represent them. Therefore, I believe I can adequately represent the other non-exempt employees
16 of Defendant.

17 7. My interests as a named plaintiff in this litigation are not adverse to the interest of
18 the other employees. My interests are the same as the interests of the other employees because we
19 were all subject to the same policies and practices and were similarly injured by Defendant's
20 company-wide policies and practices. I am seeking the same recovery on behalf of myself and
21 other employees, which is to collect unpaid wages, interest, and penalties that are owed by
22 Defendant, pursuant to the Settlement Agreement.

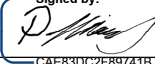
23 8. I have always kept the best interests of the other employees in mind while
24 performing my duties as one of the named plaintiffs in this action. I have been committed
25 throughout the course of this litigation to vigorously prosecuting this case on behalf of myself and
26 the other employees. I believe that I have demonstrated my ability to advocate for the interests of
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the other employees by initiating this lawsuit, providing documents to my attorneys pertaining to my employment with Defendant, going over the claims and theories with my attorneys, keeping in regular contact with my attorneys regarding the status of this lawsuit, helping my attorneys evaluate the case for settlement, and reviewing the settlement agreement and its terms to make sure it was fair.

9. I will continue to actively participate in this lawsuit as necessary, and will continue to make myself available to assist in this case in the future as needed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 08/14/2024 in California.

Signed by:

 CAE83UC2F89741B...

Patrick Joseph Neims