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Attorneys for Plaintiff Eric Pennington, individually, and on behalf of
all others similarly situated.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

ERIC PENNINGTON, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

EXPRESS PIPE & SUPPLY CO., LLC;
MORSCO SUPPLY, LLC; and DOES 1
through 20, inclusive,

Defendants.

Case No. 23STCV05168

*Assigned For All Purposes To:
Hon. David S. Cunningham
Department 11*

**DECLARATION OF ERIC
PENNINGTON IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

I, Eric Pennington, declare as follows:

1. I have personal knowledge of the facts set forth herein and if called upon to testify, I could and would do so competently under oath. I make this declaration, with the help of a translator, in support of my Motion for Preliminary Approval of Class Action Settlement.

2. I worked for Defendants Express Pipe & Supply Co., LLC and Morsco Supply, LLC ("Defendants") as a non-exempt employee in the positions of Warehouse Worker and Dispatcher from about 2016 to March 2022.

3. Based on my experience and knowledge of Defendants' wage and hour policies and my familiarity with its employment practices, I worked with my attorneys to bring claims on my own behalf as well as on behalf of other non-exempt employees of Defendants.

4. I am seeking to become a Class Representative in this case. I believe my experiences are similar to Defendants' other non-exempt employees. I believe we were all subject to the same employment policies and practices.

5. I do not have any conflicts with other non-exempt employees that would hinder my ability to represent them. Therefore, I believe I will adequately represent Defendants' other non-exempt employees.

6. My interests as a named plaintiff in this litigation are not adverse to the interest of the other non-exempt employees. My interests are the same as the interests of the other non-exempt employees because we were all subject to the same policies and practices and were similarly injured by Defendants' company-wide policies and practices. I am seeking the same recovery on behalf of myself and other non-exempt employees, which is to collect unpaid wages, meal period premiums, rest period premiums, and penalties that are owed by Defendants.

7. I have always kept the best interests of the other non-exempt employees while performing my duties as the named plaintiff in this action. I have been committed throughout the course of this litigation to vigorously prosecuting this case on behalf of myself and the other non-exempt employees. I believe that I have demonstrated my ability to advocate for the interests of the other non-exempt employees by initiating this lawsuit, providing documents to my attorneys pertaining to my employment with Defendants, keeping in regular contact with my attorneys

1 regarding the status of the lawsuit, providing my attorneys with any information needed to continue
2 to prosecute this action, and reviewing the settlement and its terms to make sure it was fair.

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

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6 I declare under penalty of perjury under the laws of the State of California that the foregoing
7 is true and correct and that this declaration was executed on July 23, 2024 in California.

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Eric Pennington