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Attorneys for Plaintiff STANLEY GLENN

SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF CONTRA COSTA

STANLEY GLENN, as an individual and
on behalf of all others similarly situated,

Plaintiff,
vs.

THE MCCOY GROUP, LLC., a
California limited liability company;
MCCOY GROUP, INC., a Wisconsin
corporation; FOODLINER, INC., a
Wisconsin corporation; and DOES 1-
100, inclusive,

Defendants.

CASE NO.: C23-00863

Assigned for All Purposes to:
Hon. Charles S. Treat
Dept 12

DECLARATION OF STANLEY GLENN

DATE: TBD
TIME: 8:30 a.m.
DEPT.: 12

1 I, STANLEY GLENN, declare as follows:
2

3 1. I am an adult over the age of eighteen (18) years old. I am a plaintiff in the above-
4 captioned lawsuit. I have personal knowledge of the facts set forth in this declaration. I make this
5 declaration in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement.

6 2. I worked for defendants as a driver by around July 2020 to May 2022. I was based
7 out of Rialto, California. While I worked there I don't think I was paid for all hours that I worked
8 because I had to do work while I wasn't clocked in, such I had to clock out of the timekeeping
9 system while waiting, loading, and offloading cargo to prevent running out of daily hours of
10 service under federal regulations. I also was on duty during my supposedly duty free lunches
11 because McCoy's policies said that I had to watch over my truck equipment at all times during a
12 shift, and I also in order to make sure I completed all deliveries on time. I also had to use my own
13 phone for company business and I never received any reimbursement.

14 3. I decided to file this lawsuit because I did not feel that I was treated fairly as an
15 employee of Defendants, especially with regard to me not receiving all of the pay I believe I
16 earned, and not getting anything for using my own phone.

17 4. It is my understanding this lawsuit could not have been prosecuted or settled on
18 behalf of the Class unless I or some other current or former employee decided to serve as a named
19 plaintiff and proposed class representative. In deciding to serve as a named plaintiff and proposed
20 class representative in this case, I understood that my name could be publicly attached to this
21 lawsuit and that my work experiences to some extent would be set forth in a public court file. I
22 recognized I would need to devote a certain amount of time that I could have spent otherwise. I
23 also recognized my bringing the lawsuit carried some degree of risk for defendants' legal costs
24 among other things. Despite this, I decided to serve as the named plaintiff and proposed class
25 representative, without any promise of recovery or compensation.

26 5. I am familiar with the work involved in prosecuting this case. I have participated
27 in meetings, phone calls, and other communications with my lawyers regarding this case. I am
28

1 familiar with the allegations and defenses of the claims in this case. I am familiar with the major
2 events in this case, including the investigation performed by my lawyers, the mediation with
3 Defendant that resulted in this settlement, and the preparation of settlement papers and the need to
4 obtain court approval of the proposed settlement. I participated in the litigation and provided my
5 lawyers with information and documents regarding my employment with Defendant.

6 6. I believe that the proposed class-wide settlement obtained on behalf of the Class
7 and other aggrieved employees is excellent in view of the issues and risks involved with the case.

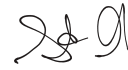
8 7. I believe I have fulfilled my duties as a proposed class representative, which
9 required a significant amount of time and effort during the course of this case. These efforts
10 required dedicating numerous hours to lawsuit activities including, but not limited to: (a)
11 communicating with my attorneys to stay informed of ongoing developments in the case and to
12 discuss the proposed settlement ultimately negotiated; (b) searching for and providing documents
13 and other materials relating to my work experience; (c) responding to requests for information
14 relating to my work experience; and (d) reviewing filings and key documents including drafts of
15 the complaint and the settlement agreement. These tasks required my dedication of at least 20
16 hours of my time, which time I honestly could have spent on family, personal time, or work. My
17 understanding is that future tasks may require several more hours of my time. Further, at all times
18 I was ready, willing and able to testify at deposition and/or trial. I believe I have been diligent and
19 that I have acted above and beyond that of which is expected of a named plaintiff and proposed
20 class representative to date and will continue to do so. To the best of my knowledge I have not
21 conflicts of interest of any kind with any other class member.

22 8. It is my opinion that \$10,000.00 is a fair and adequate award for my service as the
23 named plaintiff and proposed Class Representative, and in consideration for my general release of
24 all claims against Defendant. I believe that amount is fair and reasonable in view of the work I
25 have and will continue to perform on behalf of the Class. I believe that my role as the class
26 representative in this lawsuit has resulted in a valuable benefit to the Class Members, and I
27 accepted the potential risk of being liable for the opposing parties' costs if we were unsuccessful
28 in this lawsuit. I believed in this case, so I was willing to be the named plaintiff and proposed

1 class representative to risk this and pursue this class action litigation. I also accepted the risk that
2 news of this lawsuit could also potentially impact my ability to secure other work.

3 9. Based on the time, service, risk, stress, potential stigma, loss of benefits and
4 excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

5 I declare under penalty of perjury under the laws of California that the foregoing is true
6 and correct. Executed on 05 / 29 / 2024, at Rialto, California.
7

8 

9 _____
Stanley Glenn