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Attorneys for Plaintiff, on a representative basis and on behalf of all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF RIVERSIDE

DUSTIN REISCHMAN, individually, on a
representative basis, and on behalf of all
others similarly situated;

Plaintiff,

vs.

MERCHANTS METALS LLC, a Delaware
Limited Liability Company; and DOES 1
through 20, inclusive;

Defendants.

Case No.: CVRI2301910
*[Assigned to Hon. Harold W. Hopp, Dept 1,
for all purposes]*

**DECLARATION OF PLAINTIFF
DUSTIN REISCHMAN**

I, Dustin Reischman, state and declare:

1. I am the Plaintiff in the above captioned action and have personal knowledge of all matters stated herein and could competently testify thereto. I make this declaration in support of the motion for preliminary approval of the class action settlement. I believe that the settlement is fair and reasonable and constitutes a fair resolution of the claims alleged.

2. When I first retained my attorneys (Lauby, Mankin & Lauby) and chose to pursue this case on a class action basis, I understood that I had specific burdens as the "Class Representative," which included: (a) representing the interests of all class members, (2) considering the interests of all class members above my own personal interests, (3) participating

1 actively in the lawsuit, including potential testimony at deposition and trial, and keeping
2 generally aware of the status and progress of the lawsuit. Moreover, I understood that any
3 resolution of the lawsuit is subject to court approval and must be designed in the best interests of
4 the class as a whole.

5 3. Since first initiating this action on behalf of the proposed class, I believe that I
6 have more than adequately performed my duties as a class representative. I have been an active
7 participant in this litigation, including assisting my attorneys in various ways and making myself
8 available when needed. For example, I have assisted my attorneys by compiling and analyzing
9 substantial documentation regarding the claims in this case. I have also helped to explain and
10 discuss the company's practices and their general practices and procedures, locating and
11 analyzing company documents, among others. I have also reviewed all settlement documents and
12 believe that this settlement is fair for the class. Finally, I will continue to take all steps necessary
13 to finalize this settlement and obtain court approval.

14 4. Additionally, I believe that my claims are typical of the other employees (the class
15 members) because we were all subjected to the same uniform practices of the company in regard
16 to payment of wages, calculation of the regular rate of pay and overtime, meal and rest breaks,
17 wage statements, along with other issues. For example, I was subjected to the same issues with
18 meal periods and rest breaks as other class members.

19 5. I have no conflicts with the proposed class members and will continue to assist
20 with the litigation and prosecute the case on behalf of the other employees.

21 6. I respectfully request that the court preliminarily approve the service award. As
22 outlined above, I have performed substantial services for the Class and helped obtain a highly
23 beneficial settlement for my fellow employees. At the final approval stage, I will submit an
24 additional declaration setting forth all the work I did for this case, including an estimated number
25 of hours spent assisting the Class and my attorneys.

26 I declare under penalty of perjury under the laws of the State of California that the
27 foregoing is true and correct. Executed on Nov 4, 2024, at Nuevo, California.

28 By: 
Dustin Reischman (Nov 4, 2024 14:26 PST)
Dustin Reischman

Reischman v. Merchants; Declaration for Signature

Final Audit Report

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