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Attorneys for Plaintiffs
THI PHAN and ANH TRUONG

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

THI PHAN and ANH TRUONG, as
individuals and on behalf of themselves and
on behalf of all others similarly situated,

Plaintiffs

v.

BALT USA, LLC, a Delaware limited liability
company; and DOES 1-100 inclusive,

Defendants.

CASE NO.: 30-2023-01339331-CU-OE-CXC
(Lead Case); Consolidated Case No.: 30-2023-
01339949-CU-OE-CXC (CLASS ACTION)

Assigned for All Purposes to:
Hon. Lon Hurwitz
Dept. CX-103

DECLARATION OF THI PHAN

Date: May 23, 2025
Time: 1:30 p.m.
Dept.: CX 103

I, THI PHAN, declare as follows:

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

2. I worked for defendant Balt as a line assembler from January 2018 through December 2022. During this period, she typically worked 10-12 hours per shift Monday through Friday, and 8-hour shifts on Saturdays and Sundays. While I worked there, I also don't think I received all of the meal and rest breaks I was entitled to, as lunches and breaks would start late and I was denied a second lunch all at the direction of supervisors Kevin Pham, Dawson Le, and Kim Le. I also think these supervisors altered my clock in/out records to make it appear as though I took my lunches on time. Many time I also was denied a rest break due to the demands of the job and the amount of work. I also don't think I was paid for all hours that I worked because many times I worked off-the-clock for up to 15-20 minutes after the end of a shift to finalize paperwork at the direction of the same three supervisors.

3. I decided to file this lawsuit because I did not feel that I was treated fairly as an employee of Defendant, especially with regard to me not receiving all of the pay I believe I earned and for not getting all of my lunches and other breaks.

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

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

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

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

24 8. It is my opinion that \$5,000.00 is a fair and adequate award for my service as the
25 named plaintiff and proposed Class Representative, and in consideration for my general release
26 of all claims against Defendant. I believe that amount is fair and reasonable in view of the work
27 I have and will continue to perform on behalf of the Class. I believe that my role as the class
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1 representative in this lawsuit has resulted in a valuable benefit to the Class Members, and I
2 accepted the potential risk of being liable for the opposing parties' costs if we were unsuccessful
3 in this lawsuit. I believed in this case, so I was willing to be the named plaintiff and proposed
4 class representative to risk this and pursue this class action litigation. I also accepted the risk that
5 news of this lawsuit could also potentially impact my ability to secure other work.

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

8 I declare under penalty of perjury under the laws of California that the foregoing is true
9 and correct. Executed on 02 / 12 / 2025, at Fullerton, California.

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