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7 Attorneys for Plaintiff WALTER WALKER
8 on behalf of the State of California,
9 and others similarly situated and aggrieved

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES**

12 WALTER WALKER, on behalf of the State
of California, and others similarly situated
13 and aggrieved,

14 Plaintiff,

15 v.

16 PELICAN PRODUCTS, INC., a Delaware
17 Corporation; STAFFMARK INVESTMENT
LLC, a Delaware Limited Liability
18 Company; and DOES 1-100, inclusive,

19 Defendants.

Case No.: 23STCV19531

Assigned for All Purposes to:
Hon. Richard L. Fruin
Dept. 15

DECLARATION OF WALTER WALKER

Date: November 14, 2024
Time: 9:15 a.m.
Dept.: 15

Reservation: 226528229837

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2 I, WALTER WALKER, declare as follows:

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 Approval of Settlement under PAGA.

6 2. I was employed by Defendant Staffmark and placed to work on an assembly line at
7 Defendant Pelican's facility in Torrance, California from around May 2022 through September
8 2022. My main job was to assemble cases for rifles and other similar products. While I worked
9 there I had to wait in long lines to clock in for my shifts and when clocking back in from their
10 meal breaks because there were only three available time clocks and hundreds of employees trying
11 to use them at the same time. As a result, I had to get to work early, and end my lunch early, to
12 wait in line and make sure I wasn't late. I believe I spent as much as 10-15 minutes per shift in
13 line and without pay. I also recall being instructed to continue working past the fifth hour of a shift
14 rather than going on a lunch break, and that my time sheet always showed I got a timely meal
15 break even when I didn't. Many shifts I also didn't get a second 10-minute rest period due to the
16 pressure to complete all of my work. I had to buy some of my own tools to do the jobs because
17 the tools provided by Pelican were inadequate or not provided at all, and I never received any
18 reimbursement.

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

23 4. It is my understanding this lawsuit could not have been prosecuted or settled on
24 behalf of the other employees unless I or some other current or former employee decided to serve
25 as a named plaintiff and file this case. In deciding to serve as a named plaintiff in this case, I
26 understood that my name could be publicly attached to this lawsuit and that my work experiences
27 to some extent would be set forth in a public court file. I recognized I would need to devote a
28

1 certain amount of time that I could have spent otherwise. I also recognized my bringing the
2 lawsuit carried some degree of risk for defendants' legal costs among other things. Despite this, I
3 decided to serve as the named plaintiff without any promise of recovery or compensation.

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

11 6. I believe that the proposed settlement obtained on behalf of the other aggrieved
12 employees is excellent in view of the issues and risks involved with the case.

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

26 8. It is my opinion that \$10,000 is a fair and adequate award for my service as the
27 named plaintiff and my waiver of all claims I may have against Defendants. I believe that amount
28 is fair and reasonable in view of the work I have and will continue to perform on behalf of the

1 other employees. I believe that my role as the named plaintiff in this lawsuit has resulted in a
2 valuable benefit to the other employees and the state of California, and I accepted the potential
3 risk of being liable for the opposing parties' costs if we were unsuccessful in this lawsuit. I
4 believed in this case, so I was willing to be the named plaintiff to risk this and pursue this PAGA
5 representative litigation. I also accepted the risk that news of this lawsuit could also potentially
6 impact my ability to secure other work.

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

9 I declare under penalty of perjury under the laws of California that the foregoing is true
10 and correct. Executed on 10 / 09 / 2024, at Gardena, California.

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14 Walter Walker
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