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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO**

FREDERICK DENTON, DONTAY
HENDERSON, individually, and on behalf of
other members of the general public similarly
situated and on behalf of other aggrieved
employees pursuant to the California Private
Attorneys General Act;

Plaintiffs,

vs.

SLAKEY BROTHERS, INC., a California
corporation; and DOES 1 through 100, inclusive,

Defendants.

Case No.: 23CV010792
(Related Case No. 23CV002315)

CLASS AND REPRESENTATIVE ACTION

*Assigned for All Purposes to:
Judge Jill Talley, Department 23*

**DECLARATION OF PLAINTIFF
DONTAY HENDERSON IN SUPPORT
OF APPROVAL OF CLASS ACTION
AND PAGA SETTLEMENT**

PRELIMINARY APPROVAL HEARING:

Date: April 25, 2025

Time: 9:00 a.m.

Dept.: 23

Complaint Filed: October 30, 2023

Trial Date: Not Set

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Attorneys for Plaintiff Dontay Henderson

I, DONTAY HENDERSON, declare as follows:

BACKGROUND OF EMPLOYMENT

3. During my employment with Defendant, I realized that its wage and hour practices placed employees, including me, at a disadvantage. For instance, I believe I was misclassified as exempt from overtime, I was not compensated for all hours worked, and I was not reimbursed for expenses I incurred in direct discharge of my work duties. Additionally, I regularly experienced problems taking full, timely, and uninterrupted meal periods and rest breaks.

4. I believe that Defendant's illegal wage and hour practices that affected me also affected all of its employees in the position of "Technical Product Specialist" or "Specialized Inside Sales Representative". For instance, the practice of not paying for all hours worked was common among such employees. Additionally, I believe that other employees also experienced problems receiving reimbursement for necessary work expenses as well as their full, timely, and uninterrupted meal and rest breaks.

5. As a result of Defendant's wage and hour practices, I believe employees in the position of "Technical Product Specialist" or "Specialized Inside Sales Representative" were harmed and are therefore owed wages and reimbursements.

6. I was employed by Defendant in California as an exempt employee during the putative Class Period. Accordingly, I brought this class action case on behalf of all other employees who are

1 also or were at some point classified as exempt in the position of “Technical Product Specialist” or
2 “Specialized Inside Sales Representative” during their employment with Defendant. I believe my
3 alleged claims in this case impacted not only me but such employees part of the Class.

4 7. I am not aware of anything special about me that would raise unique defenses to my
5 claims, as opposed to the claims of the Class. I am not suing for anything unique to me; rather, my
6 claims are based on the same facts that relate to the rest of the Class.

7 8. I believe that I have no conflicts of interest with other putative Class Members or with
8 the proposed Settlement Administrator, and I have agreed to place Class interests above my own.

9 9. I have reviewed and consented to in a signed writing the joint prosecution and fee-
10 splitting agreement between my attorneys and the law firm of Lawyers *for* Justice, PC, which
11 represents Frederick Denton, the other named plaintiff in this case.

12 DUTIES AS CLASS REPRESENTATIVE

13 10. This lawsuit is not an individual lawsuit; rather, it is a proposed class action. I understand
14 that as a Class Representative in this matter, I have an obligation to do my best to look out for the
15 interests of other Class Members. I understand that my obligations to the Class exist even when the
16 Class is certified solely as part of a class action settlement. It is my understanding that, as one part
17 of this duty to the Class, I cannot agree to a settlement to benefit myself to the exclusion of the rest
18 of the Class Members. I have never asked my attorneys to simply settle this matter at any cost; rather,
19 I have asked them to obtain the best settlement they could, within reason, and I believe they have
20 attempted to do so.

21 11. I have conferred with my attorneys about the Class Action and PAGA Settlement (the
22 “Settlement”) in this case. I am not an accountant, but I generally understand the factors and risks
23 that should be considered when evaluating a settlement. I believe the Settlement is fair, adequate, and
24 reasonable, and therefore, I would recommend the Court approve it.

25 12. I understand the obligations of being an adequate Class Representative include
26 significant responsibilities and a fiduciary duty to represent the Class, which means responding
27 truthfully, completely, and promptly to any information requests made by my attorneys; reviewing
28 facts and claims in the case to make certain the alleged Labor Code violations are redressed;

1 participating dutifully in the litigation; making myself available for any meetings, proceedings, and
2 court hearings at which I am needed; and, above all, putting Class interests above my own.

3 13. I joined this class action in full recognition and acceptance of my responsibilities as a
4 Class Representative, and I continue to appreciate the importance of my responsibilities as the
5 litigation continues.

6 14. Since I've joined this suit, I have never asked to be relieved from my role as a Class
7 Representative. To the contrary, I have made myself available whenever my attorneys wanted to
8 discuss aspects of my employment by Defendant, and I remain committed to seeing this matter
9 through to the end.

10 15. My goal in joining this lawsuit was to obtain a recovery on behalf of the Class, and, even
11 more importantly, to put an end to what I believe are illegal practices on the part of Defendant.

12 16. Summing it all up in the simplest terms, I asked to be a stand-in for other employees of
13 Defendant as a Class Representative. Because of that, I cannot quit on the Class, and I cannot put
14 myself and my interests before the Class. I accept these duties and respectfully request the Court
15 appoint me as a Class Representative.

16 SERVICE AS A CLASS REPRESENTATIVE

17 17. I believe that were it not for my stepping forward and taking on the duties of protecting
18 the interests of other Class Members in this case, it is likely that the interests of the Class would
19 neither have been prosecuted nor benefited.

20 18. I have assumed some long-lasting risk in prosecuting this case. Because it is so easy to
21 search for information online these days, I will face an increased risk that future employers will
22 discover information about this lawsuit online and have a negative reaction to learning that I sued an
23 employer. This may make it harder for me to obtain future employment or change jobs for a better
24 opportunity.

25 19. I have devoted a substantial amount of my time, both before this lawsuit was filed and
26 also during its litigation to ensure a fair result for the employee class. This involved ongoing
27 communications and participation with my counsel during the course of this case.

20. My participation began with bringing certain issues that are involved in this matter to my attorneys' attention and explaining the factual background that was used to prosecute the claims in this case.

21. For example, I provided to my attorneys and reviewed with them documents from my employment by Defendant that I had in my possession, and I explained those documents and related facts to my attorneys to assist them in their review and analysis. I also assisted in identifying potential witnesses, including other employees, who might likewise have been of assistance.

22. My efforts continued after I joined this suit. For example, I continued to identify employees and other witnesses to my attorneys, along with other information as to how they could be of potential use in this matter.

23. I also made myself available to answer questions from my attorneys during the mediation session that ultimately led to the proposed Settlement Agreement.

24. After the mediation, a long-form settlement agreement was negotiated, and I reviewed it with my attorneys as well as I was able to ensure that its terms are likewise fair and adequate.

25. In sum, I believe I have provided 25 to 30 hours of my time during the course of this litigation to ensure a good outcome for the best interests of the class.

26. I have been, and will continue to be, actively involved in assisting my attorneys to support this wage and hour action.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed this 3/31/2025, at Marina, California.

Signed by: 
BARI 52C595A041D...