

SEYFARTH SHAW LLP
Michael Afar (SBN 298990)
mafar@seyfarth.com
Michael A. Sigall (SBN 305849)
msigall@seyfarth.com
David J. Kim (SBN 349802)
dakim@seyfarth.com
2029 Century Park East, Suite 3500
Los Angeles, California 90067-3021
Telephone: (310) 277-7200
Facsimile: (310) 201-5219

Attorneys for Defendant
SPENUZZA, INC.

[Plaintiff's Counsel on Next Page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

VICENTE ALVAREZ, individually, on a
representative basis, and on behalf of all others
similarly situated,

Plaintiff,

v.

SPENUZZA, INC., a California Corporation; and
DOES 1 through 20, inclusive,

Defendant.

Case No. CVRI2304283

[Assigned to Hon. Harold W. Hopp]

**DECLARATION OF JEFF TONKOVICH
IN SUPPORT OF PLAINTIFF'S
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION AND PAGA SETTLEMENT**

Date: September 23, 2024
Time: 8:30 a.m.
Dept.: 1

Complaint Filed: August 9, 2023
FAC Filed: November 9, 2023

Brian J. Mankin, Esq. [CSB No. 216228]
brian@lmlfirm.com

Peter J. Carlson, Esq. [CSB No. 295611]
peter@lmlfirm.com

LAUBY, MANKIN & LAUBY LLP
5198 Arlington Avenue, PMB 513
Riverside, CA 92504
Tel: (951) 320-1444 | Fax: (951) 320-1445

Mehrdad Bokhour, Esq. (Cal. Bar No. 285256)

mehrdad@bokhourlaw.com

BOKHOUR LAW GROUP, P.C.
1901 Avenue of the Stars, Suite 450
Los Angeles, California 90067
Tel: (310) 975-1493 | Fax: (310) 675-0861

Attorneys for Plaintiff, on behalf of all others similarly situated

DECLARATION OF JEFF TONKOVICH

I, Jeff Tonkovich, hereby declare and state as follows:

1. I am over the age of 18. I have personal knowledge of the facts contained in this declaration, and if called as a witness, could and would testify competently as to their accuracy.

2. I am the Corporate VP of Human Resources for Middleby Corporation, the parent company of Defendant Spenuzza, Inc. ("Defendant" or "Spenuzza"). My office is located at 1400 Toastmaster Drive, Elgin, IL 60120, in Middleby's corporate headquarters.

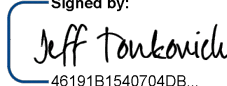
3. In my position, I have access to information and data related to Defendant's business and personnel operations. I have access to Human Resources information and records of current and former employees of Defendant. This is information that is kept in the ordinary course of business, under the direction and control of Defendant's executives.

4. Pursuant to this Court's Case Management Order ("CMO") § G(3)(k)(ii), based on my personal knowledge, Class Members are of adult age with sufficient education and experience to read and comprehend English. The Class Members work in a sophisticated factory-type warehouse and perform sophisticated job duties, such as engineering, welding, fabrication, machine operation, assembling, accounting, and customer service. While a majority of the Class Members are of Hispanic background, they are able to review and follow company policies in English, and communicate with each other and management in English. Nevertheless, in an abundance of caution, the Notice Packet will be provided in both English and Spanish to ensure that each Class Member can read and understand the contents.

SIGNATURE UNDER PENALTY OF PERJURY

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

This declaration was executed on August 29, 2024 at 1:15 pm CDT.

Signed by:

46191B1540704DB...

JEFF TONKOVICH