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

JACOB FILLMORE, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

INTER-STAT, INC. dba INTER-STAT
COOPERATIVE, INC., a California
corporation; and DOES 1 through 10, inclusive,

Defendants.

Case No.: 23CV009170

*[Assigned for All Purposes to the Hon. Lauri
A. Damrell, Dept. 22]*

**DECLARATION OF EZELL GARDNER
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION AND
PAGA SETTLEMENT**

Action Filed: September 27, 2023

DECLARATION OF EZELL GARDNER

I, Ezell Gardner, hereby declare as follows:

1. I have personal knowledge of the facts set forth herein and if called upon to testify, I could and would do so competently under oath. I make this declaration in support of my Motion for Preliminary Approval of Class Action and PAGA Settlement.

2. I worked for Defendant Inter-Stat, Inc. DBA Inter-Stat Cooperative, Inc. (“Inter-Stat”) as an hourly-paid non-exempt employee from approximately December 2021 to approximately August 2024.

3. Based on my experience and knowledge of Inter-Stat’s wage and hour policies and my familiarity with its employment practices, I worked with my attorneys to bring claims on behalf of myself and other hourly-paid non-exempt employees of Inter-Stat.

4. I am seeking to become a class representative in this case. I believe my experiences are like those of other hourly-paid non-exempt employees of Inter-Stat. Based on my experience working for Inter-Stat for several years, I understood that Inter-Stat’s employment policies and practices applied to me and my coworkers alike.

5. I do not have any conflicts with other hourly-paid non-exempt employees that would interfere with my ability to represent them. I believe I will adequately represent the other hourly-paid non-exempt employees at Inter-Stat.

6. My interests as a named plaintiff in this case are not adverse to the interests of the other hourly-paid non-exempt employees. I believe my interests are the same as the other employees because we were all subject to the same policies and practices and were similarly injured by Inter-Stat’s company-wide policies and practices. I am seeking the same recovery on behalf of myself and the other employees, which is to collect unpaid wages, penalties, and interest that are owed to us by Inter-Stat.

7. I have kept the best interests of the other hourly-paid non-exempt employees in mind throughout this litigation while performing my duties as the named plaintiff in this case. I have been committed throughout the course of this case to prosecuting this case on behalf of myself and the other employees. I believe that I have demonstrated my ability to advocate for the interests of

the other hourly-paid non-exempt employees by participating in the intake process with my counsel, initiating this lawsuit, providing information to my attorneys, meeting with my attorneys in advance of mediation to discuss my claims, keeping in contact with my attorneys regarding the status of the case, and reviewing the settlement agreement to make sure it was fair.

8. To date, I have spent approximately 15 hours on my cases against Inter-Stat. I will continue to actively participate in this lawsuit as necessary and will continue to make myself available to assist in this case moving forward as needed.

9. I do not have any actual or potential conflicts of interest with Class Members or the proposed Administrator, Phoenix Settlement Administrators.

10. I am not aware of any other pending matter or action asserting claims that will be extinguished or adversely affected by this Settlement.

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

Executed on 2/18/2026 at Sacramento, California.
(City name)

Signed by:

C8366679087042E... Ezell Gardner