BY FAX

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on behalf of himself and others similarly situated

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DEPUTY

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

COUNTY OF SAN JOAQUIN

VICENTE JIMENEZ, DAVID ALLEN, GILDA ALBIZURES individually and on behalf of other individuals similarly situated,

Plaintiffs,

v.

PRP LOGISTICS, LLC, a limited liability company; and DOES 1 through 10, inclusive,

Defendant.

CASE NO. STK-CV-UOE-2024-0001096
Assigned to Hon. Jayne Lee, Dept. 10C

DECLARATION OF MARCUS J. BRADLEY IN SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT

DATE: January 5, 2027
January 6, 2027
January 8, 2027
January 12, 2027
January 19, 2027
TIME: 9:00 a.m.
DEPT.: 10C

DECLARATION OF MARCUS J. BRADLEY

I, Marcus J. Bradley, declare as follows:

1. I am an attorney at Bradley/Grombacher LLP, duly licensed to practice law before all courts of the State of California. I am the attorney of record for Plaintiff David Allen ("Plaintiff Allen" or "Mr. Allen") and the putative class members and aggrieved PAGA employees who are similarly situated employees of Defendant PRP Logistics, LLC ("PRP Logistics" or "Defendant"). I have been involved in Plaintiff Allen's claims against Defendant since their inception and have personal knowledge of the facts set forth below and if called to testify, I could and would do so competently. I submit this declaration in support of the Motion for Preliminary Approval of Class Action and PAGA Settlement filed by Plaintiff Vicente Jimenez in the above matter.

EXPERIENCE OF COUNSEL

2. I have been counsel for Plaintiff David Allen and the proposed class and aggrieved employees throughout this case. I am a partner at Bradley/Grombacher, LLP, which has extensive experience litigating wage and hour class and representative actions as well as complex consumer class actions. Details on the work, experience and accomplishments of the firm can be found at www.bradleygrombacher.com.

3. I personally have represented Plaintiffs in consumer and employment class actions since I began practicing law in 1994. In 2000, I joined Mazursky, Schwartz & Angelo as an associate and became a partner in January 2005 at which time the firm was renamed Schwartz, Daniels & Bradley. I remained as a partner handling primarily wage and hour class actions until the dissolution of the firm effective December 31, 2008. In January 2009, I moved my existing practice transferring a number of wage and hour cases to become a partner with the law firm of Marlin & Saltzman, a long-established firm with whom I had been co-counsel on dozens of wage and hour class actions during my tenure at Schwartz, Daniels & Bradley. On September 1, 2016, I formed Bradley/Grombacher LLP along with a former associate at Marlin & Saltzman, Kiley Grombacher.

4. I have been responsible for all facets of employment class action cases and other complex litigation, from pre-filing investigation through trial and appeal. Since approximately May 2000, I have spent most of my time representing workers in wage and hour matters. I, along with

my current and former partners, have litigated these issues in class actions to favorable settlements that have recouped over $700 million in unpaid wages, including the following more notable cases:

a. *Gutierrez v. State Farm Mutual*, Los Angeles Superior Court (BC236552). Class action mis-classification case seeking overtime compensation for approximately 2,600 insurance claims adjusters employed by State Farm. The class was certified and summary adjudication was granted as to liability in favor of the class. The case settled for $135 million just prior to trial, with final approval granted with no objections filed.

b. *Bednar v. Allstate Insurance Company*, Los Angeles Superior Court (BC240813). Class action mis-classification case seeking overtime compensation for approximately 1,200 insurance claims adjusters employed by Allstate. The class was certified and summary adjudication was granted as to liability in favor of the class. The case settled for $120 million just prior to trial, with final approval granted with no objections filed.

c. *Roberts v. Coast National Insurance*, Orange County Superior Court (01CC08478). Class action mis-classification case seeking overtime compensation for insurance claims adjusters employed by Coast National Insurance. Certification granted, and then the matter was tried before a binding arbitrator. The case settled during the arbitration for in excess of $18 million.

d. *CNA Class Action Litigation*, Los Angeles Superior Court Class (JCCP 4230). Class action mis-classification case seeking overtime compensation for insurance claims adjusters employed by the defendant. Case settled for $33 million, with final approval granted with no objections filed.

e. *Dotson v. Royal & SunAlliance*, Orange County Superior Court (02CC01787). Class action mis-classification case seeking overtime compensation for insurance claims adjusters employed by Royal & SunAlliance. Case settled for $12.3 million, with final approval granted with no objections filed.

f. *Parris v. Lowe's Home Improvement*, Los Angeles County Superior Court (BC260702). Class action seeking payment of "off-the-clock" hours worked by all hourly employees of Lowe's Home Improvement stores in the State of California. The class was certified

by the Court of Appeal and remanded to the trial court for further proceedings. Shortly thereafter, a $29.5 million settlement was reached and approved without objection.

g. *Pardo v. Toyota Motor Sales, et al*., Los Angeles County Superior Court (BC372781). Class action misclassification of workers with claims for overtime and missed meal and rest breaks. The case settled for $7.75 million and was approved with no objections.

h. *Smith/Ballard v. Wal-Mart Stores, Inc*., United States District Court for the Northern District of California (Case No. 4:06-cv-05411-SBA). Wage and hour class action seeking unpaid vacation and personal time, unpaid wages, and related penalties on behalf of over 245,000 employees. The action was certified and settled for $86 million while defendant's appeal of the certification was pending in the Ninth Circuit Court of Appeals.

i. *Hoyng v. AON*, Los Angeles County Superior Court (BC377184). Wage and hour class action seeking overtime and related compensation for misclassification on behalf of Relationship and Account Specialists. The case settled for $10.5 million, which was approved with no objections filed.

j. *In RE Bank of America Wage and Hour Employment Practices Litigation*, MDL 2138, United States District Court for the District of Kansas. California state and FLSA wage and hour litigation for various violations including unpaid overtime and "off-the-clock" work. Settled for $73 million.

k. *Lemus v. H & R Block Litigation*, United States District Court for the Northern District of California (Case No. 3:09-cv-03179-SI) Class certified, and settlement reached prior to trial. Total settlement of $35 million.

l. *Harris v. Vector Marketing Corporation*, United States District Court for the Northern District of California (Case No. 3:08-cv-05198-EMC). Class action case on behalf of approximately 70,000 employees misclassified as "trainees."

m. *Bickley v. Schneider National Trucking*, United States District Court for the Northern District of California (Case No. 4:08-cv-05806-JSW). Wage and hour class action on behalf of approximately 6,000 truck drivers. Settled for $29.5 million.

n. *Roberts v. TJX,* United States District Court for the Northern District of California (Case No. 13-CV-04731-MEJ). Wage and hour violations on behalf of approximately 82,000 employees. Settled for $8.5 million.

o. *Oprychal v. New York Life Insurance*, United States District Court for the Central District of California (Case No. 2:07-cv-00518-VBF). Class action for the failure to pay commissions pursuant to a compensation plan. Settled for $10 million.

p. *Neuvenheim v. Gamestop Corp.*, United States District Court for the Central District of California (Case No. 2:09-cv-06799-ODW). Class action on behalf of nonexempt employees for wage and hour violations.

q. *Hightower v. JP Morgan Chase,* United States District Court for the Central District of California (Case No. 2:11-cv-01802-PSG). Class action on behalf of nonexempt employees for wage and hour violations. Settled for $12 million.

5. On many of the above cases, I was either lead or co-lead counsel, including cases in multi-district litigation or coordinated proceedings where I worked collaboratively and cooperatively with co-counsel to bring about an efficient and beneficial resolution for all class members as the above results demonstrate.

6. I have argued cases in trial courts as well as before courts of appeal. My writings on legal topics pertaining to litigating wage and hour class and representative actions have appeared in professional publications and I have been called upon to speak at conferences and seminars for professional organizations, including a recent presentation titled "Planning for and Executing Trial in Class and Collective Wage & Hour Cases."

7. I have also been honored as a Super Lawyer in the area of class actions by Los Angeles Magazine for multiple years, including 2027. I am also a member of a number of professional organizations, including the Consumer Attorneys of Los Angeles, the Consumer Attorneys of California, the California Employment Lawyers Association, and the American Association for Justice.

Experience of Kiley L. Grombacher

8. My Partner, Ms. Grombacher, specializes her practice in complex litigation including

consumer and employment class actions. She has litigated hundreds of employment and consumer class actions throughout her career which began at Arias, Ozzello & Gignac where she gained extensive experience litigating consumer cases.

9. Thereafter, Ms. Grombacher joined Marlin & Saltzman in 2010 where she focused her practice almost exclusively on wage and hour, collective and representative actions including the reported case, *Faulkinbury v. Boyd & Associates*, which clarified the holding in seminal case, *Brinker Restaurant Corp. v. Superior Court*, to establish that legality of certain company policies could be determined on a class-wide basis even if the application of the polices varies by individual.

10. Ms. Grombacher has been selected by Super Lawyers Magazine as a "Rising Star" in the field of complex litigation since 2015 and as a Super Lawyer since 2017. She has published articles on the field of class action litigation including "A Class-Action Primer" which appeared in *The Advocate*, which is the Journal of Consumer Attorneys of Southern California.

11. Ms. Grombacher has also lectured on various topics involving complex case management and recently spoke at the Beverly Hills Bar Association's Class Action and Complex Case Management Conference. She is also a member of a number of professional organizations, including the Consumer Attorneys of Los Angeles and the American Association for Justice.

PROCEDURAL HISTORY

12. On March 13, 2024, Plaintiff Allen provided a written notice to the California Labor and Workforce Development Agency ("LWDA") and to Defendant of provisions of the Labor Code he contends were violated and the theories supporting his contentions. On the same date, Plaintiff Allen also filed a Class Action Complaint against Defendant in the San Bernardino Superior Court, Case No. CIVSB2408398 (the "Allen Class Action"), alleging: (a) failure to pay overtime wages; (b) failure to pay all wages and minimum wages; (c) failure to pay all wages for alternative workweeks; (d) failure to provide meal periods; (e) failure to provide rest periods; (f) failure to timely furnish accurate, itemized wage statements; (g) failure to timely pay wages and (h) violations of California Business and Professions Code section 17200, et seq. (Unfair Competition Law).

13. As of May 17, 2024, the LWDA did not take any action to investigate or prosecute the

matters alleged in Plaintiff Allen's March 13, 2024, written notice.

14. On June 20, 2024, Plaintiff Allen filed a Representative Action Complaint in the San Bernardino Superior Court, Case No. CIVSB2419717 (the "Allen PAGA Action," and together with the Allen Class Action, the "Allen Actions"), seeking civil penalties under the Private Attorneys General Act ("PAGA") for the California Labor Code violations alleged in the Allen Class Action.

15. On September 9, 2025, Defendant and the plaintiffs in this action, the Allen Actions, and *Gilda Albizures v. US 1 Logistics LLC, et al.*, San Joaquin Superior Court Case Nos. STK-CV-UOE-2024-0008481 and STK-CV-UOE-2024-0005674 (the "Albizures Actions"), participated in a mediation with Monique Ngo-Bonnici, Esq. The parties did not reach a resolution at the mediation. However, through continued negotiations conducted through the mediator, the parties reached a global resolution of this action, the Allen Actions, and the Albizures Actions, which was memorialized in a fully executed Class Action and PAGA Settlement Agreement (the "Settlement"). I attended the mediation and participated in the subsequent negotiations on behalf of Plaintiff Allen.

16. The Allen Actions are currently stayed pending approval of the Settlement. Upon final approval of the Settlement, Plaintiff Allen will dismiss the Allen Actions. The terms of the Settlement, and the analysis supporting its fairness, reasonableness, and adequacy, are set forth in the declaration of Armen Salehi, Esq., of Wilshire Law Firm, filed concurrently herewith. I have reviewed that analysis. Based on my experience and my knowledge of the claims asserted in the Allen Actions, I believe the Settlement is fair, reasonable, and adequate, and in the best interests of the Class Members.

PLAINTIFF AND HIS COUNSEL WILL ADEQUATELY REPRESENT THE CLASS

17. Plaintiff Allen has retained and is represented by counsel with substantial experience in wage and hour class action litigation. Additionally, there is no evidence of antagonism between Mr. Allen's interests and those of the Class Members. Mr. Allen has litigated this case in good faith and his interests are aligned with those of the Settlement Class Members as they all share a common interest in challenging the legality of Defendant's policies and procedures.

18. Throughout this case, Mr. Allen has remained available to, and regularly did, consult

with counsel both in person and via telephone. In addition, he reviewed documents and provided invaluable information regarding the workings of the Defendant's operations. Mr. Allen was also actively involved in discussions regarding the resolution of this matter and approved the settlement terms on behalf of himself and the Class.

PROPOSED SERVICE AWARD

19. Plaintiff David Allen devoted his time and provided an invaluable service to the prosecution of this case. Mr. Allen has devoted substantial time and effort to this case by producing relevant documents, meeting and communicating with and assisting his attorneys in prosecuting the case, reviewing complex legal documents, and engaging in settlement negotiations for the benefit of the Class. He has also agreed to a general release of all claims, including a waiver of California Civil Code section 1542, which is broader than the release given by Class Members. Plaintiff Allen respectfully requests a Service Award of $10,000.00, as further described in his declaration filed concurrently herewith.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 27, 2026 at Westlake Village, California.

/s/ Marcus J. Bradley
Marcus J. Bradley