

DIVERSITY LAW GROUP, P.C.  
Larry W. Lee (State Bar No. 228175)  
[lwlee@diversitylaw.com](mailto:lwlee@diversitylaw.com)  
Simon L. Yang (State Bar No. 260286)  
[sly@diversitylaw.com](mailto:sly@diversitylaw.com)  
515 South Figueroa Street, Suite 1250  
Los Angeles, California 90071  
Telephone: (213) 488-6555  
Facsimile: (213) 488-6554

POLARIS LAW GROUP  
William L. Marder (State Bar No. 170131)  
[bill@polarislawgroup.com](mailto:bill@polarislawgroup.com)  
501 San Benito Street, Suite 200  
Hollister, California 95023  
Telephone: (831) 531-4214  
Facsimile: (831) 634-0333

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

JOSHUA GIBBS, as an individual and on  
behalf of all others similarly situated, and  
as a private attorney general,

Plaintiff,

vs.

SWIFT TRANSPORTATION CO. OF  
ARIZONA, LLC, a Delaware limited  
liability company; and DOES 1 through 50,  
inclusive,

Defendants.

Case No. 3:24-cv-02209-LL-DEB

[Assigned to Hon. Linda Lopez]

**DECLARATION OF JOSHUA GIBBS  
IN SUPPORT OF PLAINTIFF'S  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Date: September 30, 2026  
Time: N/A  
Courtroom: 14B

Complaint Filed: April 2, 2024  
FAC Filed: May 31, 2024

***PER CHAMBERS RULES, NO ORAL  
ARGUMENT UNLESS SEPARATELY  
ORDERED BY THE COURT***

1 I, Joshua Gibbs, declare as follows:

2 1. I am the named plaintiff in the above-referenced matter. I make this  
3 declaration based on my own personal knowledge, except as to matters stated on  
4 information and belief that I understand to be true. If called as a witness, I could testify  
5 competently as to the facts stated in this declaration.

6 2. In September of 2022, I began working for Swift Transportation Co. of  
7 Arizona, LLC. I worked in California for the company for 30 or more days within a year.  
8 Until my employment ended in July of 2023, I was paid on an hourly basis as a non-  
9 exempt employee, and I earned non-base hourly wages or other non-hourly, non-  
10 discretionary remuneration, including for example production pay and performance pay.  
11 Throughout my employment, I accrued and actually used sick leave. When sick leave  
12 was used after I earned non-base hourly wages or other non-hourly, non-discretionary  
13 remuneration in addition to my base hourly wages, sick pay wages were paid at less than  
14 the rate resulting from dividing my total wages, not including overtime premium pay, by  
15 my total hours worked in the full pay periods of the prior 90 days of employment.

16 3. I understand my duties and responsibilities to the proposed Class and will  
17 carry out those duties as necessary. In that regard, I have not been promised and do not  
18 expect to receive compensation for acting as the representative of the Class other than my  
19 proportionate share of any recovery obtained for the benefit of the Class.

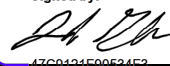
20 4. During the pendency of this lawsuit, I have done my best to represent the  
21 interests of the employees that are part of the class. I have actively contributed to the  
22 litigation of this case. My contributions include but are not limited to (i) participating in  
23 numerous telephonic meetings with my attorneys and their staff to discuss the case and  
24 review documents prepared on my behalf, (ii) providing my attorneys with information  
25 and documents regarding my employment, (iii) searching for additional information and  
26 documents requested by my attorneys, (iv) reviewing and approving the written notice to  
27 the Labor and Workforce Development Agency, the complaint, and other papers filed  
28

1 with the court, (v) reviewing documents and information my attorneys were provided by  
2 the company or its attorneys, (vi) participating in the discovery process and reviewing  
3 related documents, (vii) preparing for and attending my deposition, (viii) being available  
4 for a mediation, (ix) reviewing and signing the settlement agreement and related  
5 documents, and (x) reviewing and signing documents submitted to this Court in support  
6 of the settlement. Since initiating litigation against the company in April of 2024, I  
7 estimate that I at a minimum have spent around one to two hours per month, on average,  
8 to further the litigation.

9         5. I have and continue to be willing to assist in this matter, including by  
10 making myself available for the trial of this matter. I remain willing to devote my time to  
11 this lawsuit for the benefit of the Class. I do not believe I have any interests that are  
12 adverse to the interests of the Class. I also am unaware of any such issues having been  
13 raised or presented by anyone else. To my knowledge, there are no conflicts which exist  
14 between my interest in this action and the interests of the Class that would impair my  
15 ability to serve as the representative for the Class.

16         6. I believe many employees would not sue their employer out of fear. I took  
17 on risks by bringing this lawsuit, and I understand that other people will benefit because  
18 of the actions that I have taken. I feel that it is a positive accomplishment, am proud of  
19 the result, and believe that the class settlement is fair, adequate, and reasonable.

20         I declare under penalty of perjury under the laws of the State of California and the  
21 United States of America that the foregoing is true and correct. Executed this 19 day of  
22 August 2026, at Wheatley, Arkansas.

Signed by:  


47C80121F09684F3...  
Joshua Gibbs