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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 WILLIAM L.
MARDER 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, William L. Marder, declare as follows:

2 1. I am an attorney admitted to practice in the State of California and am a
3 partner of the law firm of Polaris Law Group, one of the attorneys of record for Plaintiff.
4 I make this declaration on the basis of my own personal knowledge, except as to those
5 matters stated on information and belief and, as to those matters, I believe them to be
6 true. If called as a witness, I could testify competently as to the facts stated in this
7 declaration.

8 2. From the inception of the case, Class Counsel has zealously represented the
9 interests of the Class. Class Counsel engaged in substantial discussions with opposing
10 counsel to obtain informal and formal discovery and classwide data on behalf of the
11 Class. This settlement was obtained for the benefit of the Class, as opposed to the
12 individual Class Representatives.

13 3. Although I believe that litigation of the claims could potentially result in a
14 classwide judgment against Defendant, I recognize the inherent risks in litigation,
15 including the specific risks that Defendant could prevail on a motion for summary
16 judgment, that class certification could be denied, that liability could not be established at
17 trial, or that the applicable law could change, as well as the potential for appeals and the
18 costs of pursuing litigation. Based on my review of all the information, and based on my
19 experience in class action litigation, I believe this settlement to be fair, adequate, and
20 reasonable.

21 4. I graduated from UCLA Law School in 1993 and was admitted to the
22 California Bar in 1994. Since that time, I have acquired substantial experience in
23 employment litigation. I have represented both plaintiffs and defendants. I estimate that I
24 have handled more than 300 employment cases, litigating cases in state and federal
25 courts.

26 5. I have defended large institutional employers in employment cases. From
27 1995-1997, as an associate at Bolling, Walter & Gawthrop in Sacramento, I represented
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1 the City of Sacramento, Yolo County, the City of Davis, Solano County, and other
2 employers in employment litigation in state and federal courts.

3 6. From 1997-2000, I served as a Deputy County Counsel in San Benito,
4 handling all of its employment matters. These matters include advising the county on
5 compliance with wage and hour laws, arbitrations, and litigation.

6 7. From 2002-2006, I was a partner at Paxton O'Brien, LLP in Hollister, an
7 AV rated firm, where I represented numerous plaintiffs and defendants in employment
8 lawsuits.

9 8. In 2006, I co-founded my current firm, Polaris Law Group, where I spend
10 most of my time handling employment cases. I primarily represent employees.

11 9. I have been the sole trial attorney in two jury trials in which I represented
12 plaintiffs who prevailed on wrongful termination claims brought pursuant to the
13 California Fair Employment & Housing Act, California Government § 12900 et seq.
14 These cases are *Gamayo v. Drobny Law Offices*, Sacramento Superior Court Case No.
15 34-2008-00005372CU, and *Cherub Berlanga v. Willow Grove School District*, San
16 Benito County Superior Case No. CU-09-00100.

17 10. I have been the sole trial attorney in two court trials in which I represented
18 plaintiffs who prevailed on wage and hour claims. These cases are *Smith v. Joyce*,
19 Monterey County Superior Court Case No. M74334, and *Nava v. Rodriguez*, San Benito
20 County Superior Court Case No. CU-08-00022.

21 11. I have also been approved as class counsel in numerous cases including
22 *Sison v. Headway Technologies*, Santa Clara Superior Court Case No. 1-13-CV-254591,
23 and *Barrera v. Home Depot*, Northern District of California Case No. C 12 5199 LHK.

24 12. My co-counsel and I will adequately represent the Class Members in this
25 action. We have and will dutifully represent Plaintiff and the Class and pursue this
26 lawsuit to its conclusion. I have no conflicts with the Class.

1 I declare under penalty of perjury under the laws of the State of California and the
2 United States of America that the foregoing is true and correct. Executed this 19th day of
3 August 2026, at Hollister, California.

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5 /s/ William L. Marder

6 William L. Marder
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