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10 Attorneys for Plaintiff MICHAEL GOLDBERG

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

12 **COUNTY OF KERN**

13 MICHAEL GOLDBERG, on behalf of the
14 State of California and all Aggrieved
15 Employees and Class Members,

16 Plaintiff,

17 v.

18 GENERAL PRODUCTION SERVICE OF
19 CALIFORNIA, INC., a California
20 Corporation; and DOES 1-100, inclusive,

21 Defendants.

Case No.: BCV-24-102628

Hon.: T. Mark Smith Dept. T-2

**DECLARATION OF MICHAEL
GOLDBERG**

Date: May 29, 2025

Time: 8:30 a.m.

Dept. T-2

1 I, MICHAEL GOLDBERG, declare as follows:

2 1. I am an adult over the age of eighteen (18) years old. I am a plaintiff in the above-
3 captioned lawsuit. I have personal knowledge of the facts set forth in this declaration. I make this
4 declaration in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement.

5 2. I worked for Defendant General Production Service for a little over a month, from
6 about March 29, 2023 until May 9, 2023. I went through a four-week training period at
7 Defendant's training yard in Taft, and worked only one day out in the oil fields before I resigned.
8 While I worked there I don't think I got all of my lunches and rest breaks like I was supposed to,
9 primarily on long shifts over 10 hours, where I did not receive a second lunch break or a third rest
10 break. Also, while undergoing training in Taft, employees were not allowed to leave the training
11 site while on a break even though there were a number of restaurants, convenience stores, etc.,
12 nearby where I would have liked to go for a lunch.

13 3. I decided to file this lawsuit because I did not feel that I was treated fairly as an
14 employee of Defendant with regard to not getting all of my meal and rest breaks, especially on
15 those longer shifts over 10 hours, and not being allowed to leave the work site during my training.

16 4. It is my understanding this lawsuit could not have been prosecuted or settled on
17 behalf of the other employees unless I or some other current or former employee decided to serve
18 as a named plaintiff and proposed class representative. In deciding to serve as a named plaintiff in
19 this case, I understood that my name could be publicly attached to this lawsuit and that my work
20 experiences to some extent would be set forth in a public court file. I recognized I would need to
21 devote a certain amount of time that I could have spent otherwise. I also recognized my bringing
22 the lawsuit carried some degree of risk for defendants' legal costs among other things. Despite
23 this, I decided to serve as the named plaintiff and class rep without any promise of recovery or
24 compensation.

25 5. I am familiar with the work involved in prosecuting this case. I have participated in
26 meetings, phone calls, and other communications with my lawyers regarding this case. I am
27 familiar with the allegations and defenses of the claims in this case. I am familiar with the major
28 events in this case, including the investigation performed by my lawyers, the mediation with

1 Defendants that eventually resulted in this settlement, and the preparation of settlement papers and
2 the need to obtain court approval of the proposed settlement. I participated in the litigation and
3 provided my lawyers with information and documents regarding my employment with Defendant.

4 6. I believe that the proposed settlement obtained on behalf of the State and other
5 aggrieved employees is excellent in view of the issues and risks involved with the case.

6 7. I believe I have fulfilled my duties as a named plaintiff, which required a
7 significant amount of time and effort during the course of this case. These efforts required
8 dedicating numerous hours to lawsuit activities including, but not limited to: (a) communicating
9 with my attorneys to stay informed of ongoing developments in the case and to discuss the
10 proposed settlement ultimately negotiated; (b) searching for and providing documents and other
11 materials relating to my work experience; (c) responding to requests for information relating to my
12 work experience; and (d) reviewing filings and key documents including drafts of the complaint
13 and the settlement agreement. These tasks required my dedication of at least 20-25 hours of my
14 time, which time I honestly could have spent on family, personal time, or work. My understanding
15 is that future tasks may require several more hours of my time. Further, at all times I was ready,
16 willing and able to testify at deposition and/or trial. I believe I have been diligent and that I have
17 acted above and beyond that of which is expected of a named plaintiff and proposed class
18 representative to date and will continue to do so.

19 8. It is my opinion that \$10,000.00 is a fair and adequate award for my service as the
20 named plaintiff and class representative, and in consideration for my general release of all claims
21 against Defendant. I believe that amount is fair and reasonable in view of the work I have and
22 may have to continue to perform. I believe that my role as the named plaintiff and class
23 representative in this lawsuit has resulted in a valuable benefit to the State and to the other
24 employees, and I accepted the potential risk of being liable for the opposing parties' costs if we
25 were unsuccessful in this lawsuit. I believed in this case, so I was willing to be the named plaintiff
26 and class rep to risk this and pursue this representative litigation. I also accepted the risk that news
27 of this lawsuit could also potentially impact my ability to secure other work.

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9. Based on the time, service, risk, stress, potential stigma, loss of benefits and excellent outcome of this case, I believe the enhancement for me is fair and reasonable.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct. Executed on 05 / 05 / 2025, at BAKERSFIELD, California.

Michael Goldberg

Michael Goldberg