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Attorneys for Plaintiff, *Scott D. Onken*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

SCOTT D. ONKEN, individually, and on behalf
of all others similarly situated,

Plaintiff,

vs.

SIERRA PACIFIC ENGINEERING AND
PRODUCTS, INC.; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 24STCV22888

[Honorable Timothy Patrick Dillon,
Department 15]

**DECLARATION OF PLAINTIFF SCOTT D.
ONKEN IN SUPPORT OF PLAINTIFF'S
MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND
REPRESENTATIVE ACTION
SETTLEMENT AGREEMENT**

[Filed with Plaintiff Scott D. Onken's Notice of
Motion and Motion for Preliminary Approval,
Declaration of Kane Moon, and [Proposed]
Order]

PRELIMINARY APPROVAL HEARING

Date: October 15, 2025

Time: 11:00 am

Dept: 15

Complaint Filed: September 5, 2024

Trial Date: Not Set

1 DECLARATION OF PLAINTIFF SCOTT D. ONKEN

2 I, SCOTT D. ONKEN, declare as follows:

3 1. I am the named Plaintiff in the above-captioned action (“Action”).

4 2. I am a former employee of Defendant S.P.E.P. Acquisition Corp. dba Sierra Pacific
5 Engineering and Products, Inc. (“Defendant”), and I have personal knowledge of, or believe and am
6 informed of, the facts stated herein.

7 3. If called as a witness, I could and would testify competently to the following:

8 BACKGROUND OF EMPLOYMENT

9 4. I began working for Defendant as an Inside Sales Representative from January 2014 to
10 August 2023.

11 5. Throughout my employment with Defendant, I typically worked five days and forty-two
12 and one-half hours per workweek.

13 6. Throughout my employment with Defendant, I believed its wage-and-hour practices
14 placed me at a disadvantage because I was not paid all wages I was owed; I was not able and/or
15 permitted to take timely, uninterrupted, off-duty, and/or full meal periods and rest breaks; and I was not
16 reimbursed for all business expenses I incurred.

17 COMMONALITY AND PREDOMINANCE

18 7. Throughout my employment with Defendant, I believed its wage-and-hour practices also
19 placed other employees of Defendant at a disadvantage because such employees were also not paid all
20 wages they were owed; not able and/or permitted to take timely, uninterrupted, off-duty, and/or full
21 meal periods and rest breaks; and not reimbursed for all business expenses they incurred. This was true
22 for other employees who had the same or different schedules.

23 8. I believe Defendant failed to compensate me and other employees properly, failed to
24 provide legally compliant meal periods and rest breaks, and failed to reimburse me and other employees
25 for all business expenses. I, therefore, believe other employees and I were subjected to the same or
26 similar illegal wage-and-hour practices.

27 TYPICALITY AND ADEQUACY

28 9. I was employed by Defendant in a non-exempt position during the Class Period.

10. I brought this Action on behalf of myself and all other employees who are or were classified as non-exempt during the Class Period.

11. I believe the violations alleged in this Action impacted not only me but the entire Class.

12. I believe I have no conflicts of interest with other Class Members. In particular, I do not have any special circumstances that would raise unique defenses to any alleged class or representative cause of action.

13. I have no conflicts of interest with the mutually selected Administrator.

14. Before becoming a Class Representative in this Action, Class Counsel advised me that, if I were to become the Class Representative, I would have significant responsibilities to both the Class and Court. I understood and continue to understand that my responsibilities include responding truthfully, completely, and promptly to any information requests made by my attorneys; making myself available for any meetings, proceedings, or other court hearings at which I am needed; and, above all, placing the interests of the Class above my own.

15. I decided to become the Class Representative in this Action in full recognition and acceptance of my responsibilities as such, and I continue to appreciate the importance of my responsibilities as the settlement process progresses. I also decided to become the Class Representative in this Action out of a genuine desire to redress myself and other fellow employees of Defendant for Defendant's failure to abide by the California Labor Code and California Business and Professions Code.

REASONABLENESS OF CLASS REPRESENTATIVE SERVICE PAYMENT

16. Throughout and before becoming the Class Representative in this Action, I engaged in conversations with my attorneys about all aspects of the case; identified relevant witnesses; provided relevant documents in my possession to my attorneys, including records I received from Defendant during my employment; promptly responded to all of my attorneys' inquiries about my employment with Defendant; requested regular case updates from my attorneys; asked my attorneys questions so that I understood each stage of the litigation; discussed the proposed Settlement terms with my attorneys; and reviewed and signed the Settlement.

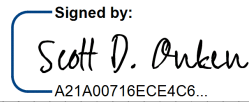
17. I understand the Settlement provides a Service Payment to me in the amount of \$7,500.00. I believe this amount is fair compensation for helping to prosecute this Action, for my effort and time spent on this Action, for the risks I undertook with respect to agreeing to be the named Plaintiff in this Action, including the negative impact this role may have on my future employability, and for the significant benefit I helped bring about for the Class in taking on such risks.

18. I am glad that I had the opportunity to represent the Class in this Action and that I was able to recover money through a settlement for the Class.

19. I believe the Settlement is fair, adequate, and reasonable, and for this reason, I would recommend that the Court approve of it.

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

Executed this 8/13/2025, at Downey, California.

Signed by:

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Scott D. Onken