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Case Number CVRI2500837 0000181161824 - Jason B. Galkin, Executive Officer/Clerk of the Court By Brian Votruba, Clerk

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Attorneys for Plaintiff ALVIN COUNTS and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF RIVERSIDE

ALVIN COUNTS, an individual; on behalf of himself and all others similarly situated and the general public,

Plaintiffs,

vs.

PROFESSIONAL AUTO TRANSPORT, INC., a Nevada corporation; and DOES 1 to 100, inclusive,

Defendants.

Case No. CVRI2500837

[Assigned for all purposes to the Hon. Harold W. Hopp, Dept. 1]

Court Reservation ID: 676643143203

DECLARATION OF CLASS REPRESENTATIVE ALVIN COUNTS IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

Date: November 12, 2026
Time: 8:30 a.m.
Dept: 1

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I, ALVIN COUNTS, declare as follows:

1. I am over the age of eighteen and am a Class Representative Plaintiff in the matter *Counts v. Professional Auto Transport, Inc.* The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto.

2. I submit this declaration in support of Plaintiff's Motion for Preliminary Approval of Class Settlement.

3. I was employed as a non-exempt hourly employee for Defendant Professional Auto Transport, Inc. ("Defendant") between 2022 and 2024. During my time working for Defendant, I was subjected to the same wage and hour policies and practices that are at issue in this case, including the Defendant's practice of failing to pay employees all wages owed, failing to provide meal periods, failing to authorize and permit rest periods, failing to provide accurate wage statements, failing to reimburse employees for their reasonable and necessary expenses, and related issues.

4. Since the beginning of this case, I have been closely involved in assisting my attorneys to prosecute this action and have done so diligently and aggressively for the past year and a half. Prior to becoming the named class representative in this case, I spoke at length with my attorneys and relayed to them the alleged illegal wage and hour policies and practices of Defendant. I spent countless hours discussing the issues in the case and the possibility of filing a representative action with my attorneys at that time.

5. Prior to filing this case, I worked with my attorneys to interpret documents that had been produced as part of my personnel file, including my wage statements and Defendant's pay and reimbursement policies. My attorneys also called me frequently to discuss issues pertaining to other current and former employees, and I connected my attorneys with other employees who experienced similar wage and hour issues as myself.

6. After filing the Complaint, the parties agreed to go to Mediation, and I worked with my attorneys to prepare for the Mediation. I spoke with my attorneys numerous times prior

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to the Mediation, and I was on-call during the Mediation on April 2, 2026, and spoke to my attorneys during the Mediation to address factual issues that arose.

7. After the Mediation, I thereafter worked with my attorneys to ensure that the settlement was fair to all class members. I reviewed the Settlement Agreement and discussed with my attorneys to resolve any questions I had.

8. I have also continued to keep tabs on the settlement agreement, calling my attorneys from time to time to ensure that the settlement was on track.

9. As detailed above, I actively participated in all stages of litigation and have been continuously apprised of all aspects of this case. I believe that if not for my efforts and persistence in this case, that the class members would have benefitted far less without my involvement. I am an adequate representative of the hourly employees. My interests are the same as the other hourly non-exempt employees, as Defendant uniformly failed to provide compliant meal and rest periods. Furthermore, I believe Defendant failed to pay me all of my wages that were due to me, and failed to provide legally compliant pay stubs to the entirety of the class. I received the same uniform pay stubs as every other hourly non-exempt employee, which do not list total hours worked. I believe that there are other aspects with the paystubs that are confusing and make it difficult to accurately confirm if the employees are paid correctly.

10. All in all, I estimate that I have spent more than 40 hours in conjunction with the case. I dedicated my time to the pursuit of this case, including consulting with my attorneys regarding the issues raised in the action. I have also assisted my counsel in reviewing, analyzing, and interpreting various internal documents generated by Defendant. Additionally, I have participated in numerous telephone conferences with my counsel to discuss the case. I have also assisted my counsel by corresponding with them on repeated occasions to answer any questions about my employment. I also discussed mediation and post-mediation settlement strategies with my counsel at various points over the last year. I have been diligent, and I believe I acted above and beyond that which was expected of me as a Class Representative throughout all stages of the litigation, up to and including the settlement of this Class Action. I have no claim that was

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antagonistic to the class. I accepted the potential risk of being liable for the opposing parties' costs if we were unsuccessful in this lawsuit.

11. In addition to performing work on this matter, I assumed a substantial risk in serving as a class representative if the Defendant prevailed in this case. My willingness to assume the financial risk was and is significant. Although I was confident in the merits of this lawsuit, I do not have any substantial savings and bringing this lawsuit was a serious commitment on my behalf and exposed myself to considerable risk. My attorneys have advised me that California law provides that the losing party must pay the prevailing party's costs. As such, if the Defendant had prevailed in this case, I would have been subjected to a cost award in the amount of tens of thousands of dollars. Notwithstanding these risks, I chose to serve in my capacity as Class Representative and pursue all claims against Defendant. Many employees have been afraid to challenge Defendant's policies because they were afraid that they would lose their jobs or face retaliation in the pursuit of other employment. I had that fear myself, but I pressed on with the case nonetheless.

12. Considering the amount of time I put into the case, the stigma of filing litigation, and the impact it has had on all class members, I believe an enhancement of $10,000 is fair and reasonable.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on September 8, 2026.

DocuSigned by:
Alvin Counts
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Alvin Counts