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Attorneys for Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF RIVERSIDE**

JOHN DEDET and THOMAS SANNER,
individuals, on behalf of themselves and on
behalf of all persons similarly situated, and on
behalf of the State of California, as a private
attorney generals,

Plaintiffs,

vs.

METAL CONTAINER (MCC) LP, a Limited
Partnership; and DOES 1 through 50,
inclusive,

Defendants.

Case No. CVRI2405838

**DECLARATION OF JOHN DEDET IN
SUPPORT OF MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Hearing Date:
Hearing Time:

Judge: Hon.
Dept:

Date Filed: October 17, 2024
Trial Date: Not set

1 I, John Dedet, declare as follows:

2 1. I am over the age of eighteen, a Plaintiff and a proposed Class Representative in the above-
3 entitled matter. I submit this declaration in support of the Motion for Preliminary Approval of Class
4 Settlement and in support of my application for a class representative service payment.

5 2. I have personal knowledge of all the facts stated herein. I could and would competently
6 testify under oath to these facts in court if requested to do so.

7 3. I worked for the defendant Metal Container (MCC) LP (“MCC”) in California from July of
8 2021 to June of 2024, and during that time period was classified by MCC as a non-exempt
9 employee.

10 4. I retained my attorneys who are experienced in both class action and PAGA representative
11 action litigation and claims against employers for violations of the California Labor Code. I have
12 no personal relationship or family ties to my attorneys or any officer of the Court. I am not aware
13 of having any actual or potential conflicts of interest with another class member in this case. I am
14 not aware of any other pending matter or action asserting claims that will be extinguished or
15 adversely affected by this settlement.

16 5. I decided to file this class action lawsuit and be a plaintiff/class representative because I felt
17 that my legal rights as an employee and others like me were violated. For example, I was forced to
18 work off the clock as I was frequently called to the floor to start working from the cafeteria while
19 waiting to clock in. To that end, despite commonly arriving 30-45 minutes early, I could not clock
20 in until 15 minutes before shift start time. I was also not compensated for my time after entering the
21 parking lot which required the use of my Kronos badge to access. Additionally, I did not always
22 receive compliant meal and rest breaks which were often late, short or missed entirely – and when
23 these violations occurred, I did not receive all break penalty payments I was entitled to. Further,
24 Defendant failed to consider my “Gain Share” payments while calculating the regulate rate for my
25 overtime, meal premiums and sick pay, resulting in underpayment. Additionally, I was not
26 reimbursed for the use of my personal cellular phone, which I was forced to use in furtherance of
27 my job duties.

28 6. I spoke to my attorneys several times and discussed how MCC implemented its company

1 policies and procedures. I also assisted my attorneys in their investigation into my claims by
2 providing them documents and answering their questions. I reviewed the complaint before it was
3 filed and was given access to an electronic file sharing program that alerted me via email when
4 important documents were filed so that I could review them and keep up with the developments in
5 the case which I understood was one of my duties as a class representative. I could also access court
6 filings from this case on my attorney's law firm website. Also, I was informed that MCC had the
7 right to take my deposition, and that the preparation and deposition itself could take multiple days.
8 Although my deposition was not taken, I feel I would have been adequately prepared and
9 comfortable to give testimony on my experiences.

10 7. Even though this action is in the process of settling, I was and remain prepared to perform
11 all the duties of a class representative. I understand that as a class representative I have assumed a
12 fiduciary responsibility to prosecute this class action on behalf of the absent class members. I have
13 understood that as a fiduciary, I have a duty to prosecute this action for the benefit of the class
14 members and surrender any right to compromise the group action for an individual gain.

15 8. I understood that being a plaintiff/class representative in this case meant that I was seeking
16 damages not only for myself but also other current and/or former non-exempt employees working
17 for MCC in California who make up the class. I felt that these individuals were not aware of their
18 labor law rights and even if they were they would probably be apprehensive about speaking up or
19 even simply because of the time, effort and risk involved in filing a class action lawsuit.

20 9. I understood that being a part of this lawsuit involved risks. For example, my attorneys
21 explained to me that if the case went to trial and we lost, I could be held responsible to pay for all
22 or part of the attorney fees and costs paid by MCC to defend this lawsuit. Also, I knew there was a
23 risk that future employers, if they ever find out about this lawsuit, could hold it against me or
24 downgrade me as a potential hire. As a named Plaintiff in this case it would not be difficult for a
25 future employer to become aware that I sued a former employer for labor law violations. Ultimately,
26 I decided these risks were worth it and decided to fight for my rights and the rights of others
27 regardless of the risks, time and effort I spent on this case.

28 10. During the lawsuit I stayed in touch with my attorneys by phone and email. I also kept up

1 to date on important developments by reviewing court filings that were made available to me
2 electronically as I described above.

3 11. A mediation took place on April 24, 2025, with Louis Marlin, a well-respected and
4 experienced mediator of wage and hour class actions. After the mediation the parties were able to
5 come to an agreement to settle the action. I communicated with my attorneys regarding the terms
6 of the settlement which was reached between the parties and understood that I was representing
7 absent class members and therefore wanted the best possible result to be obtained for the class
8 members and I believe a very positive result was in fact achieved via settlement. I closely reviewed
9 and signed the Memorandum of Understanding on June 18, 2025, and when the final settlement
10 agreement was ready, I reviewed it closely and signed it.

11 12. I have been actively involved with this lawsuit performing the duties described above.
12 Although I did not keep time records, I was in regular contact with my attorneys, reviewed court
13 filings and spent a significant amount of time on the issues presented during the lawsuit and in the
14 settlement process. I estimate that I spent approximately 30-40 hours working on this case up until
15 this point. I believe I have been diligent and have done what is expected of a named plaintiff and a
16 proposed class representative to date, and will continue to do so. I have and always will maintain
17 the best interest of the class members.

18 13. My attorneys explained to me that the settlement process involves a two-step review by the
19 Court to determine whether the settlement is fair before approving the settlement. I know this
20 process also involves notifying all class members of the settlement terms and of their rights to make
21 a claim for their settlement share, to opt out of the settlement or to object to the settlement.

22 14. I believe I did the right thing by filing this case on behalf of the class members who, subject
23 to court approval, are in line to receive monetary payments as a result of this case and settlement.
24 This is money they may never have ever gotten if I did not pursue this action on their behalf. I feel
25 significant personal satisfaction to know that I played a role in the class members being entitled to
26 monetary payments as a result of the filing of this lawsuit. I also believe that the requested class
27 representative service award of \$15,000 from the settlement is fair compensation for the work I
28 performed and the risks I undertook.

15. In light of all the time and effort I have spent on this case, the risk I undertook by suing a former employer, the exposure to being responsible for paying MCC costs in the event we did not win the case, the reputational risk that future employers may hold this lawsuit against me, and in light of the size of the settlement, I believe the request for \$15,000 as a class representative service payment 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 11/30/2025, at Norco, California.
(city, state)


John Dedet (Nov 30, 2025 18:51:30 PST)
John Dedet