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Attorneys for Plaintiff, GABRIEL GUZMAN JR.,
 individually and on behalf of other individuals
 similarly situated.

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA
 COUNTY OF SAN DIEGO**

GABRIEL GUZMAN JR., an individual, on his
 own behalf and on behalf of all others similarly
 situated,

Plaintiff,

v.

VULCAN MATERIALS COMPANY, a New
 Jersey corporation; CALMAT Co., a Delaware
 Corporation, and DOES 1 through 50, inclusive,

Defendants.

Case No. 37-2021-00024583-CU-OE-CTL

CLASS ACTION

DECLARATION OF JAMES SANCHO

Date: May 19, 2023

Time: 1:30 p.m.

Judge: Hon. Katherine Bacal
 Department: C-69

DECLARATION OF JAMES SANCHO

I, James Sancho, declare as follows:

1. I am a resident of Kern County, California. I am a former employee of Vulcan Materials Company (hereinafter "Vulcan") and one of the named plaintiffs in this case.

2. I am over the age of eighteen. I have personal knowledge of the following facts, and if called to testify, I could and would testify competently to them.

3. I am aware that filing a class action lawsuit against my former employer would require me to work with my attorneys. I worked closely with my attorneys filing the lawsuit, assisting in the discovery process, mediation, and settlement discussions. I am familiar with all aspects of the litigation, and I participated in all stages of it.

4. I am not aware of any conflicts that would prevent me from serving as a class representative in this matter. I do not have any business or personal relationships with any of my attorneys other than me retaining them to represent me in this lawsuit.

Employment History

5. I worked for Vulcan from approximately 1990 until August 2019.

6. During that time, I worked as a "Plant Operator" at Vulcan's Bakersfield facility.

Typicality of Claims

7. During my time working for Vulcan, I was not paid for all the hours that I worked.

8. Vulcan did not provide me with all meal and rest periods that I was entitled to.

9. During the entire period of my employment with Vulcan, my paycheck stubs were not accurate because they did not reflect gross wages earned, net wages earned, all applicable hourly rates, or applicable deductions as a result of Vulcan not compensating me for all hours that I worked. The lack of this information on my paycheck stubs subjected me to the difficulty of having to reconstruct the hours I actually worked, and compensation earned during a pay period.

10. Additionally, I believe I was not timely paid all wages owed during my employment and at the time of my termination.

My Involvement in the Litigation & Adequacy as Class Representative

11. I participated in all aspects of this litigation. Initially, I participated in a pre-litigation

1 investigation, then I assisted with the drafting of the complaint, provided documentation, and was
2 involved in settlement discussions. I have had numerous discussions with my attorneys over the course
3 of this matter.

4 12. I also spent a considerable amount of time learning about California labor laws,
5 deciding whether pursuing a lawsuit was a step I should take. I had to research attorneys, and research
6 whether I had claims that were actionable under California law. Through my research, I located
7 experienced wage and hour attorneys and I met with them to determine if I would retain them to handle
8 my case. We spent several hours discussing my case, reviewing my records, and discussing the
9 remedies I could pursue. When I decided to file a lawsuit, I decided to not just to file a lawsuit on
10 behalf of myself, but also those of my former co-workers by filing a class-action lawsuit against
11 Defendants for their violations of labor laws. My attorneys and I discussed what it meant to be a class
12 representative and I understood I would have to devote a significant amount of my time to this lawsuit.

13 13. I spent several hours “educating” my attorneys about Vulcan’s policies and practices.
14 I searched for, and produced, documents that I had from my employment and what my concerns with
15 them were.

16 14. I also made sure that I was available to speak to my lawyers and was fully prepared for
17 mediation as part of my duty as the class representative.

18 15. I have spent considerable time and attention working on this case.

19 16. I believe I have fairly represented the absent Class and request that the Court approve
20 this settlement and confirm me as Class Representative. I have always maintained the best interest of
21 the Class while performing my class representative duties. I am not aware of any conflicts of interest
22 that would prevent me from being confirmed as the Class Representative in this lawsuit.

23 17. I am not related in any way to my lawyers or any other employee of the law firm that
24 is representing me. I don’t have business dealings or other involvement with my attorneys beyond this
25 lawsuit and this representation. I wasn’t promised any money or any type of bribe or gift to serve as
26 the class representative in this action.

27 **My Understanding Regarding the Terms of the Settlement**

28 18. I understand that as part of this class action settlement, I am required to provide

1 Defendants with a full and complete release of all claims, known and unknown, and that this is
2 something that other class members do not have to provide. I understand that this means that I will be
3 giving up any claims I may have against the Defendants. I have agreed to this term because I think it
4 is in the best interests of the class and this settlement.

5 19. As I discussed above, I participated significantly in this lawsuit, on behalf of myself
6 and for the Settlement Class. As Class Representative, I have been actively involved in all stages of
7 the litigation and I have been continually updated and I participated in all aspects of my lawsuit. I
8 would frequently call my attorneys to see how I could assist in moving the lawsuit forward. I estimate
9 that I have spent approximately 30 hours in the litigation of this case, including searching for
10 documents related to my employment, answering, reviewing, and verifying responses served by the
11 Defendants, and fielding numerous phone calls, emails, and letters from my attorneys.

12 20. In addition to my hours spent participating in the prosecution of this case, I was nervous
13 filing this lawsuit because I knew I was taking a very big risk by coming forward and filing a class
14 action. I was aware that my name could be in the public domain. I also knew that if I lost this case, I
15 could have been held liable for Defendants' litigation costs and it would have destroyed me
16 financially.

17 21. In light of the time that I have put into this case since the original meetings and
18 conversations in May 2020 through the present, including my continued commitment to the case and
19 the risks that came with being the named plaintiff, I respectfully request that the Court grant an
20 enhancement payment of up to \$10,000, in an amount that the Court deems to be fair and appropriate.
21 I believe a significant award is warranted here because of the result achieved, the many hours of my
22 personal time that I have invested in the case, my commitment to seeing it through to a strong
23 settlement for my co-workers, and my release of all other claims that I may have against Defendants.

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1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct to the best of my personal knowledge. This declaration is executed on
3 4/24/2023, at Bakersfield, California.

DocuSigned by:

James Sancho

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JAMES SANCHO