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Attorneys for Plaintiff DINO DE SANCTIS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF CONTRA COSTA

DINO DE SANCTIS, an individual, on behalf of
himself, and on behalf of all persons similarly
situated,

Plaintiff,

v.

HENKEL US OPERATIONS
CORPORATION, a Delaware corporation;
HENKEL OF AMERICA, INC., a Delaware
corporation; HENKEL CORPORATION, a
Delaware corporation; and DOES 1-50,
Inclusive,

Defendants.

Case No. C23-02468

**DECLARATION OF DINO DE SANCTIS IN
SUPPORT OF PLAINTIFF'S MOTION FOR
PRELIMINARY APPROVAL OF CLASS
AND PAGA ACTION SETTLEMENT**

Judge: Hon. Charles S. Treat
Dept.: 12

1 I, DINO DE SANCTIS, declare as follows:

2 1. I am over eighteen years of age and if called as a witness, I could and would competently
4 testify to the following facts from my own personal knowledge. I am the named Plaintiff in the above
5 wage and hour class action filed against HENKEL US OPERATIONS CORPORATION, HENKEL
6 OF AMERICA, INC., and HENKEL CORPORATION (hereinafter “Defendants”).

7 2. This declaration is being submitted in support of Plaintiff’s Motion for Preliminary
8 Approval of Class and PAGA Action Settlement.

9 3. I believe that I am, have been, and will continue to represent the interests of the class
10 fairly and adequately. I have claims that are typical of the claims the Class Members that I am seeking
11 to represent.

12 4. I worked for Defendants in California from November of 2022 to May of 2023. At all
13 times during my employment, I earned an hourly wage and was entitled to legally compliant meal
14 and/or rest periods, and minimum, regular, and overtime wages for all hours worked. Throughout my
15 employment, I was subject to Defendants’ written policies and procedures.

16 5. Generally, my lawsuit claims that Defendants failed to provide compliant meal and rest
17 periods, failed to reimburse employees for all necessary business expenses, failed to pay for all hours
18 worked, and improperly calculated the regular rate of pay for purposes of overtime, sick pay and meal
19 period premiums.

20 6. I believe that my claims are typical of the claims of the Class Members that I am seeking
21 to represent because I was subject to the same alleged unlawful employment policies and practices at
22 issue in this action, including but not limited to, Defendants’ failure to provide complaint meal and
23 rest periods and failure to pay for all hours worked. Factually, Defendants’ policies and practices apply
24 class wide, and Defendants’ liability can be determined by facts common to all members of the Class.

25 7. Further, there is no conflict between my interests and the interests of the class that I am
26 seeking to represent. My interests are entirely coextensive with the interests of the Class. I allege that
27 I was injured by the same company-wide policies and practices to which the proposed Class was
28

1 subjected and seek the same relief. I have already demonstrated my ability to advocate for the interests
2 of the Class by initiating this litigation, and evaluating the proposed settlement to assure that it is fair.

4 8. I understood that at the time I filed this action, as a Class Representative, I owed a duty
5 to the putative class members to faithfully prosecute this action with their best interests at the forefront
6 of every decision. I understood that I could not make any decision in this action for the sole benefit
7 of my personal interest. I understood that in executing this duty, I might have been asked to sacrifice
8 my personal best interests for the benefit of the interests of the putative class members. Nevertheless,
9 I knowingly and voluntarily undertook this duty in order to provide the broadest possible relief for my
10 former co-workers for what I perceived to be Defendants' unlawful wage and hour practices. I believe
11 that I faithfully executed the duties of a Class Representative throughout this litigation and will
12 continue to do until this litigation is fully and finally resolved.

13 9. I believe that the proposed settlement before the Court is fair, reasonable, and adequate,
14 and made in the best interest of the Settlement Class Members. Consequently, I respectfully, and
15 humbly, ask the Court to grant preliminary approval of the Settlement and all of its terms.

16
17 I declare under the penalty of perjury under the laws of the State of California that the foregoing
18 is true and correct. Executed 10/17/2024, at Concord, California

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20 By: Dino de Sanctis
21 Dino de Sanctis (Oct 17, 2024 10:11 PDT)
22 DINO DE SANCTIS
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