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

LYDELL BURSTON, QUINTIN BAKER,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

Sekisui Diagnostics, LLC,

Defendants.

Case No. 37-2024-00006729-CU-OE-NC

**DECLARATION OF LYDELL BURSTON
IN SUPPORT OF MOTION FOR
ATTORNEYS' FEES, COSTS, AND
INCENTIVE AWARD**

I, LYDELL BURSTON, declare as follows:

2. Except as otherwise indicated, I have personal knowledge of all matters set forth in this
herein and, if called upon as a witness, could and would competently testify thereto if called upon to
do so as a witness.

4. After working initially as a temp employee, I started working for Defendant in California as a Material Handler II in 2022 and was promoted to the position of Material Handler III in 2023. I still work for Defendant as a Material Handler.

5. When I first spoke with counsel, I believed that Defendant had not provided me with adequate breaks. After counsel explained potential wage and hour violations to me, they provided me with information regarding class actions, how they work, and what my duties would be as a class representative. I agreed to serve as a class representative in this case so that I could seek to recover wages and penalties on behalf of myself and other employees like me.

6. I have considered the interests of the Class just as I would consider my own interests, have put the interests of the Class before my own interests by retaining experienced counsel and carefully considering the impact that the Settlement in this case would have on them, and understand that the Settlement in this case is subject to this Court's approval to ensure that it is in the best interest of the Class as a whole. I have no conflicts with the Class.

7. I have spent more than 30 hours of my time in connection with this case to date. The activities I have performed have included, but have not been limited to: obtaining legal counsel, numerous telephone conversations with my attorneys, gathering documents from my employment with Defendant for my attorneys, reviewing documents with my attorneys and assisting them in developing the claims in this case, assisting my attorneys in preparing for multiple rounds of mediation, participating telephonically in multiple full day mediation session, being actively involved in the settlement process to ensure a fair result for the Class as a whole, and spending time carefully reviewing the Settlement, and other case related documents on my own and with my attorneys to make sure that Settlement and the other work my attorneys performed are in the best interests of the Class.

8. I also understand that my attorneys are submitting an application to this Court for an Incentive Award to compensate me for my unique contributions to the success of this action in the amount of \$7,500. I believe this amount is fair and reasonable compensation for my efforts in this case and the risks I have taken in pursuing a fair recovery for the Class.

9. The payment to me of the Incentive Award of \$7,500 is also not equal to the harm to my future career prospects that this case may cause me. There is now a public record - this publicly filed lawsuit - that I served as a class representative in a wage and hour case. My involvement in this case has also already been publicized to my former co-workers, and will be publicized to them again if this Court approves the Settlement. If one searches Lydell Burston Sekisui on Google, all five of the top five results concern this lawsuit. This may impact my chances of getting a job with prospective employers. This may impact my chances of getting a job with prospective employers.

10. Further, before I filed this case, my counsel also advised me of the possibility that, if the case was lost, I could have been ordered to pay Defendant's costs, which easily could have totaled tens of thousands of dollars by the end, if not even more.

11. Additionally, while I cannot say it is directly related, I have suffered some adverse impacts on my employment following my bringing this lawsuit. In January 2024, I applied for and was told that I would be promoted to a Lead Material Handler. Shortly after its filing in February 2024, I was advised that my promotion had instead been denied by HR. Despite this, I still do not regret bringing this action to advocate on behalf of my fellow employees.

12. Finally, I understand that the release of claims I have entered into by virtue of this Settlement prevents me from bring any claims against Defendant and that the release I am entering into is much broader than that of the Class Members I represent.

I declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

7/16/2025

Executed on July _____, 2025 at San Diego, California.

Lydell Burston

ID Q8pNNh7RvJiWK33LgTrp1ioJ

LYDELL BURSTON

Declarant

eSignature Details

Signer ID:	Q8pNNh7RyJjWK33LqTrp1ioJ
Signed by:	Lydell A Burston
Sent to email:	Lydell.burston@yahoo.com
IP Address:	172.56.240.187
Signed at:	Jul 16 2025, 12:35 pm PDT