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Superior Court of California  
Sacramento

06/05/2023

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By \_\_\_\_\_, Deputy

34-2022-00314949-CU-O

1 Galen T. Shimoda (Cal. State Bar No. 226752)  
Justin P. Rodriguez (Cal. State Bar No. 278275)  
2 Renald Konini (Cal. State Bar No. 312080)  
**Shimoda & Rodriguez Law, PC**  
3 9401 East Stockton Boulevard, Suite 120  
Elk Grove, CA 95624  
4 Telephone: (916) 525-0716  
Facsimile: (916) 760-3733

5 Attorneys for Plaintiffs CARLETON EDWARDS on behalf of himself  
6 and similarly situated employees

7 [additional parties continued on next page]

8 **SUPERIOR COURT OF CALIFORNIA**

9 **FOR THE COUNTY OF SACRAMENTO**

11 **CARLETON EDWARDS, MICHAEL**  
12 **ADAMS, and PETER HALL, individually and**  
13 **on behalf of all other similarly situated**  
**employees,**

14 **Plaintiffs,**

15 **vs.**

16 **SUBURBAN PROPANE, L.P., a Delaware**  
17 **Limited Partnership; and DOES 1 to 100,**  
18 **inclusive,**

19 **Defendants.**

**Case No. 34-2022-00314949-CU-OE-GDS**

*Assigned for All Purposes to Hon. Jill Talley,  
Department 27*

**CLASS ACTION**

**DECLARATION OF CARLETON EDWARDS  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS ACTION AND PAGA SETTLEMENT**

Reservation No. 2720117

Date: June 30, 2023

Time: 9:00 a.m.

Dept.: 27

Judge: Hon. Jill Talley

BY FAX

Filed: February 2, 2022

FAC Filed: June 3, 2022

SAC Filed: March 10, 2023

Trial Date: None Set

1 POTTER HANDY LLP  
2 Mark D. Potter (SBN 166317)  
3 mark@potterhandy.com  
4 James M. Treglio (SBN 228077)  
5 jimt@potterhandy.com  
6 100 Pine St., Ste 1250  
7 San Francisco, CA 94111  
8 (858) 375-7385  
9 Fax: (888) 422-5191

10 Attorneys for Plaintiff MICHAEL ADAMS and the Putative Class

11 **BLUMENTHAL NORDREHAUG BHOWMIK DE BLOUW LLP**

12 Norman B. Blumenthal (State Bar #068687)  
13 Kyle R. Nordrehaug (State Bar #205975)  
14 Aparajit Bhowmik (State Bar #248066)  
15 Nicholas J. De Blouw (State Bar #280922)

16 2255 Calle Clara  
17 La Jolla, CA 92037  
18 Telephone: (858)551-1223  
19 Facsimile: (858) 551-1232  
20 Website: [www.bamlawca.com](http://www.bamlawca.com)

21 Attorneys for Plaintiff PETER HALL  
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1 I, Carleton Edwards, declare:

2 1. I am a competent adult, I have personal knowledge of the facts set forth in this  
3 declaration, and I am making this declaration on behalf of myself, as a named plaintiff, and in support  
4 of Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement.

5 2. I worked for Defendant Suburban Propane, L.P. ("Defendant") from approximately  
6 October 5, 2020, to March 8, 2021, as a non-exempt employee. I was subject to all of Defendant's  
7 policies and practices that have been alleged as unlawful in the Complaint and the notice sent to the  
8 Labor and Workforce Development Agency, including the following: failure to pay overtime, failure to  
9 pay minimum wages, failure to provide accurate wage statements, failure to timely pay final wages,  
10 failure to provide meal and rest periods or pay premiums in lieu thereof, failure to reimburse expenses,  
11 and the failure to provide paid sick leave.

12 3. I have actively participated in the litigation of this case for the benefit of all Class  
13 Members. Prior to obtaining an attorney, I researched the claims and several different law firms, so I  
14 could be sure I could have an informed discussion an attorney that I felt would be a good fit for the  
15 case. After securing Shimoda & Rodriguez Law, PC, I continued to be actively involved in the case to  
16 help ensure a positive outcome.

17 4. My attorneys explained to me the risks and benefits of bringing a class action and  
18 representative claims under the Private Attorneys General Act ("PAGA"). I understood that pursuing  
19 the case as a class and PAGA action meant that it would take substantially longer than pursuing my  
20 claims individually, whether in Court or with the California Labor Commissioner, and that I risked  
21 getting nothing in the end, but I believed it was important to make sure that Defendant followed the law  
22 for everyone. I took on the risk, both professionally and financially, in pursuing the case as a class and  
23 PAGA action rather than pursuing my claims individually. My name is on a publicly available  
24 document that prospective employers could try and find when deciding whether to hire me, potentially  
25 causing them to decide not to offer me a job. As a Class Representative, I also took on the risk of  
26 having to pay Defendant's costs if we were unsuccessful in bringing our claims.

27 5. During the course of this litigation, I have given detailed accounts of all the facts related  
28 to my employment. I provided my attorneys with extensive documentation that I believe supported the

1 claims brought against Defendant. I met with and assisted my attorneys in understanding these  
2 documents and providing context for Defendant's payroll process as it applied to me and how I  
3 believed it applied to Defendant's other employees.

4         6. The work I performed for this case included an extensive review of documents and  
5 payroll practices to show and explain to my attorneys what was happening and why I thought it was  
6 unlawful. For example, I explained the nature of the work and the length of the shifts which we  
7 contended led to missing meal periods and rest periods, being required to remain on premises, and  
8 having to take on-duty meal and rest periods. This also included our contentions regarding the required  
9 use of personal cell phones to clock in and out, communicate with supervisors, and take pictures of the  
10 facilities and/or gauges being worked on. I also explained various types of paperwork, tests, and  
11 document reviews that we contended had to be completed before the official start date without pay.  
12 Further, I explained in detail Defendant's policies regarding personal protective equipment ("PPE") that  
13 we contended resulted in unpaid hours worked because of requirements to don and doff the equipment  
14 off-the-clock. We also went over, in detail the on-call requirements and payments, going through the  
15 payroll histories to identify regular rate of pay and overtime issues. These discussions were very  
16 important as they helped the derivative claims for waiting time penalties, failure to provide accurate  
17 wage statements, and PAGA violations. The review became even more detailed when my attorneys  
18 asked me questions about the payroll data sample that was produced as part of informal discovery to  
19 engage in mediation.

20         7. I participated in the negotiations and settlement discussions in this case, including  
21 participating in mediation by phone, speaking with my attorneys to answer questions, provide any  
22 additional information needed to assist the negotiations, and discussing the potential terms of the  
23 Agreement to evaluate its adequacy. Throughout the course of this litigation, I have asked questions  
24 when I needed clarification about various aspects of this case to make sure there were continually steps  
25 taken to advance the interests of Class Members.

26         8. I have already spent a substantial amount of time on this case and assisting my attorneys  
27 and I expect the amount of time I spend on this case will increase if preliminary approval is granted  
28

1 because Class Members will likely reach out to me about the Settlement and the process for receiving  
2 payment.

3 9. I have not received any benefits as a result of filing this lawsuit. There are several  
4 burdens I have experienced as a result of filing the lawsuit. For example, I assumed the risk of having  
5 to pay Defendant's costs if the Court or jury rules against us on the claims. My understanding is that  
6 this is a substantial risk because the costs associated with litigation, in general, are very high and this  
7 cost is multiplied many times over in complex litigation like class actions. I have spent a substantial  
8 amount of time in this case, securing a monetary benefit for many individuals who have not had to do  
9 anything whatsoever to have the opportunity to receive it. I have been working full time during the  
10 majority of the time this case has been pending. As a result, the time I have spent on this case has to  
11 occur during my lunch and/or breaks times, after hours, and/or on my days off. This is particularly  
12 challenging because I have three children which includes a nine (9) year old. Rather than spend this  
13 time with friends and family, I have spent this time for the benefit of Class Members. Finally, as part  
14 of the Settlement, I am providing a general release of all my individual claims and waiving the  
15 protections of California Civil Code section 1542 for unknown claims. Class Members are not subject  
16 to such a broad release.

17 10. I have reviewed the final Joint Stipulation of Class Action and PAGA Settlement and  
18 Release, discussed the terms with my attorney, and asked my attorney any questions I had. I believe  
19 the terms of the Settlement and allocations are fair and reasonable given the facts of the case.

20 11. I understand that any Class Representative Enhancement Payment I may receive is for  
21 my participation as a Class Representative and it is not contingent on my support or approval of the  
22 Agreement.

23 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
24 true and correct. Executed on June 5, 2023, in Elk Grove, California.

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DocuSigned by:  
  
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Carleton Edwards