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7 *Attorneys for Plaintiffs and the Settlement Class*

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN FRANCISCO**

11 COORDINATION PROCEEDING SPECIAL
12 TITLE [RULE 3.550]

CASE NO. CJC-20-005068

13 POSTMATES CLASSIFICATION CASES

CASE NO. CGC-18-567868

14 Included Actions:

**DECLARATION OF KELLYN
15 TIMMERMAN IN SUPPORT OF
16 PLAINTIFFS' MOTION FOR
17 ATTORNEYS' FEES, COSTS, AND
18 CLASS REPRESENTATIVE SERVICE
19 ENHANCEMENT**

15 Winns v. Postmates, Inc., No. CGC-17-562282
16 (San Francisco Superior Court)

17 Rimler v. Postmates, Inc., No. CGC-18-567868
18 (San Francisco Superior Court.)

19 Brown v. Postmates, Inc., No. BC712974
20 (Los Angeles Superior Court)

Date: November 3, 2021

Time: 2:00 p.m.

Judge: Hon. Suzanne R. Bolanos

21 Santana v. Postmates, Inc., No. BC720151
22 (Los Angeles Superior Court)

23 Vincent v. Postmates, Inc., No. RG19018205
(Alameda County Superior Court)

24 Altounian v. Postmates, Inc., No. CGC-20-
25 584366 (San Francisco Superior Court)

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DECLARATION OF KELLYN TIMMERMAN IN SUPPORT OF PLAINTIFFS' MOTION FOR ATTORNEYS'
FEES, COSTS, AND CLASS REPRESENTATIVE SERVICE ENHANCEMENT

1 I, Kellyn Timmerman, hereby declare and state as follows:

2 1. I have personal knowledge of the facts set forth in this declaration.

3 2. I worked as a Postmates courier in the San Diego, California, area from
4 approximately May 2017 until March 2020.

5 3. I served as a plaintiff in the class action case, Lee v. Postmates, Inc., Case No.
6 3:18-cv-03421-JCS (N.D. Cal.). In that case, my claims were compelled to arbitration after the
7 judge granted Postmates' Motion to Compel Arbitration. I filed an appeal to the Ninth Circuit,
8 which is now stayed pending this settlement. The claims in the class case are now included in
9 the combined class-wide and Private Attorneys' General Act (PAGA) settlement in the
10 Rimler/Coordinated case.

11 4. I decided to join this class action against Postmates related to their violations of
12 the California Labor Code because I felt that Postmates was exploiting me and other drivers by
13 failing to pay us minimum wage, overtime, and not reimbursing our expenses.

14 5. Throughout this case, I have provided my attorneys with information relating to
15 my work for Postmates, including how Postmates's platform works, its pay practices, and its
16 control over couriers' day-to-day work. For example, I provided valuable information about the
17 Postmates Application and where several different parts of the App are located in order to
18 determine how noticeable Postmates's arbitration provision was on its platform so that my
19 attorneys could respond to Postmates's motion to compel my claims to arbitration.

20 6. I also provided my attorneys with information regarding my work for Postmates,
21 I also spoke and corresponded regularly with my attorneys and their staff about the case and
22 about settlement negotiations, and I reviewed multiple drafts of the agreement. I played a very
23 active role in understanding the terms of the settlement and what it meant for other California
24 Postmates couriers who will benefit from it. I estimate that I cumulatively spent about 10 hours
25 in total talking with my attorneys and their staff regarding estimates about the case and
26 negotiations with Postmates.

27 7. As a class representative, I supported the case in any way that I could by
28

1 researching the “gig economy” workers and other information about the technical aspects of my
2 case and how it relates to all of the recent changes in the independent contractor
3 misclassification laws, like Proposition 22 and A.B. 5. I have also continued to research and
4 stay apprised of Postmates’s practices by following media reports about its business and other
5 litigation against the company, and I have brought these issues to my attorneys’ attention. I also
6 provided information to my attorneys whenever they needed it and asked for it.
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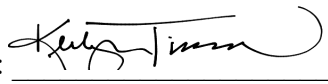
8 8. I estimate that I have spent around 35 hours in total researching Postmates,
9 gathering information during deliveries, and thoroughly organizing and documenting all
10 information to share with my attorneys to support the case.

11 9. As a named plaintiff, I have been concerned about how my name being on the
12 case might affect prospects with future employers. This is a risk that I have been willing to take
13 because I feel so strongly that Postmates must answer for their misclassification of couriers.

14 10. I have reviewed the settlement agreement. I understand my role as a class
15 representative of the proposed settlement class is to look out for the interests of other Postmates
16 couriers as I would my own and to make sure the settlement is fair, reasonable, and adequate. I
17 have taken that duty very seriously. I have carefully reviewed the settlement materials, and I
18 believe this settlement is fair and reasonable to the settlement class in light of the risks.

19
20 I declare under penalty of perjury under the laws of the State of California that the foregoing is
21 true and correct.

22 Executed on October 1 , 2021 in San Diego, California.
23

24 By: 
25 _____
26 Kellyn Timmerman
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