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1 JAY IAN ABOUDI (SBN: 251984)  
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**FILED**  
**ALAMEDA COUNTY**  
**2010 MAY -7 AM 9:34**  
 CLERK OF THE SUPERIOR COURT  
 BY Handy Lee  
 DEPUTY

7 Attorney for Defendant  
 8 OAKLAND PORT SERVICES CORPORATION  
 9 d/b/a AB TRUCKING (erroneously sued as AB  
 10 TRUCKING, INC.)

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 12 FOR THE COUNTY OF ALAMEDA

13 LAVON GODFREY and GARY GILBERT, on  
 14 behalf of themselves and all others similarly  
 15 situated,

CASE NO. RG 08-379099

16 Plaintiffs,

**DECLARATION OF WILLIAM I.  
 ("BILL") ABOUDI IN OPPOSITION TO  
 MOTION TO CERTIFY CLASS**

17 v.

18 OAKLAND PORT SERVICES  
 19 CORPORATION d/b/a AB TRUCKING, and  
 20 DOES 1 through 20, inclusive,

Date: \*  
 Time: \*  
 Place: Department 20  
 Judge: Hon. Robert Freedman  
 Action Filed: March 28, 2008

21 Defendants.

22 I, WILLIAM I. ("BILL") ABOUDI, declare:

23 1. I am the president of Oakland Port Services Corporation dba AB Trucking ("AB  
 24 Trucking"), erroneously sued herein as "Oakland Port Services Corp. dba AB Trucking." I am  
 25 the person most knowledgeable about the following facts and have personal knowledge thereof.  
 26 If called as a witness I could and would testify as set forth below.

27 2. AB Trucking currently employs no employee driver who is "not paid for any hours  
 28 worked in any work week."

3. AB Trucking currently employs no employee driver who is "not paid for hours  
 worked over eight in a day or over forty in a week at time and a half pay."

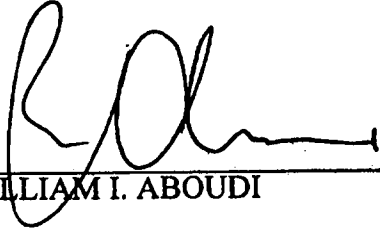
4. AB Trucking currently employs no employee driver who is "not provided rest breaks

1 or meal periods.”

2 5. AB Trucking presently employs six (6) employee truck drivers

3 I declare under penalty of perjury under the laws of the State of California that the  
4 foregoing is true and correct.

5 Dated: May 6, 2010

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7 \_\_\_\_\_  
8 WILLIAM I. ABOUDI  
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3 **PROOF OF SERVICE**

4 I am a resident of the State of California, over the age of eighteen years, and not a party  
5 to the within action. My business address is: 1855 Olympic Blvd., Ste. 210, Walnut Creek, CA  
6 94596. On the date below, I served the within documents:

- 7 1) **DEFENDANT'S MEMORANDUM OF POINTS AND AUTHORITIES IN  
8 OPPOSITION TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION;**  
9 2) **DECLARATION OF JAY IAN ABOUDI IN OPPOSITION TO MOTION TO  
10 CERTIFY CLASS;**  
11 3) **DECLARATION OF WILLIAM I. ("BILL") ABOUDI IN OPPOSITION TO  
12 MOTION TO CERTIFY CLASS**


- 13  by transmitting via facsimile the document(s) listed above to the fax number(s) set  
14 forth below on this date before 10:00 A.M.  
15  by placing the document(s) listed above in a sealed envelope with postage thereon  
16 fully prepaid, in United States mail in the State of California at Walnut Creek,  
17 addressed as set forth below.  
18  by placing the document(s) listed above in a sealed envelope and caused the same to  
19 be personally delivered by hand the document(s) listed above to the person(s) at the  
20 address(es) set forth below.

21 Lisl Duncan, Esq.  
22 Weinberg, Roger & Rosenfeld  
23 A Professional Corporation  
24 1001 Marina Village Parkway, Suite 200  
25 Alameda, CA 94501-1091  
26 Tel: (510) 337-1001  
27 Fax: (510) 337-1023

28 I am readily familiar with the firm's practice of collection and processing correspondence  
for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same  
day with postage thereon fully prepaid in the ordinary course of business. I am aware that on  
motion of the party served, service is presumed invalid if postal cancellation date or postage  
meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above  
is true and correct.

Executed on May 7, 2010 at Walnut Creek, California.

  
Jay Aboudi, Esq.