

1 Haig B. Kazandjian, Esq. (SBN 278622)
haig@hbklawyers.com
2 Raffi Tapanian, Esq. (SBN 345246)
raffi@hbklawyers.com
3 **HAIG B KAZANDJIAN LAWYERS APC**
801 N. Brand Boulevard, Suite 970
4 Glendale, CA 91203
5 Telephone Number: (818) 696-2306
Facsimile Number: (818) 696-2307
6 Attorneys for Plaintiff Roscoe Simpson
on behalf of himself and all other similarly situated

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN FRANCISCO**

10 BRITTANI POWELL, MELANIE
11 MCCONNAUGHY, and ROSCOE
12 SIMPSON individuals, on behalf of
themselves, and on behalf of all persons
similarly situated,

13 Plaintiffs,

14 vs.

15 CORE COMMUNITY ORGANIZED
16 RELIEF EFFORT, a California Nonprofit
Corporation and DOES 1 through 50,
17 Inclusive;

18 Defendants.
19
20
21

CASE NO.: CGC-21-596527

[Assigned for all purposes to the Honorable Anne-Christine Massulo - Dept. 610]

CLASS ACTION

**DECLARATION OF HAIG B. KAZANDJIAN
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS AND
PAGA ACTION SETTLEMENT**

Action Filed: November 8, 2021

FAC Filed: June 21, 2023

Trial Date: None Set

22 **DECLARATION OF HAIG B. KAZANDJIAN**

23 I, Haig B. Kazandjian, hereby declare as follows:

24 1. I am an attorney duly licensed to practice law before all courts of the State of
25 California. I am the principle of Haig B. Kazandjian Lawyers, APC and counsel of record for
26 Plaintiff Roscoe Simpson ("Plaintiff"). The facts set forth in this declaration are within my
27
28

1 personal knowledge or based on information and belief and, if called as a witness, I could and
2 would competently testify thereto.

3 2. On November 8, 2021, Plaintiff Brittany Powell filed a class action complaint in
4 the San Francisco County Superior Court, Case No. CGC-21-596527 ("*Powell* Action") and
5 Powell's Counsel have actively litigated this case for approximately two years in order to secure a
6 favorable outcome for Class Members.

7 3. On July 22, 2022, Plaintiff Simpson served Defendant and the LWDA with a
8 PAGA Notice. On January 9, 2023, Plaintiff Simpson filed a representative action complaint in
9 the Los Angeles Superior Court, Case No. 23STCV00412 ("*Simpson* Action"). The Simpson
10 Action alleged a single cause of action for violation of PAGA.

11 4. On or about October 11, 2022, Plaintiff Powell's Counsel and Defendants
12 participated in a private mediation with Tripper Ortman, Esq., an experienced mediator of wage-
13 and-hour class actions and reached a settlement in the *Powell* Action. Thereafter, the Parties
14 continued to expend time and effort into working out the material terms for a proposed class action
15 settlement, as reflected in the Agreement that fully resolves the Action.

16 5. After the Parties reached a settlement in the *Powell* Action, the Parties
17 subsequently renegotiated the terms of the settlement for purposes of reaching a global settlement
18 in both the *Powell* Action and the *Simpson* Action.

19 6. On June 21, 2023, Plaintiffs filed a First Amended Complaint in the Action for the
20 purpose of adding Plaintiff McConnaughy and Plaintiff Simpson to the Action and to add
21 allegations for Defendant's failure to provide personnel files, failure to provide reporting time pay,
22 and failure to compensate for split shifts.

23 7. On behalf of the Parties and without opposition from Defendants, Plaintiffs,
24 including Plaintiff Simpson, respectfully request the Court's final approval of the Settlement
25 Agreement.

26 8. I have extensive experience in employment law, particularly in wage-and-hour
27 class actions, and believe that the settlement in this case is fair and reasonable.

1 9. The proposed payments of \$12,500.00 to Plaintiff Roscoe Simpson is fair and
2 reasonable. Considering the result that was obtained for the Class because of this case and in light
3 of the burden and risks the Mr. Simpson undertook, the requested enhancement award is well
4 within an acceptable range. Plaintiff contends that the enhancement award adequately and
5 reasonably compensates him for the risk, time and effort in pursuing this action:

- 6 a. Plaintiff spent considerable time and effort to always be available to gather
7 information, review relevant documents and past employment records, and to
8 provide the facts and evidence necessary to prove the allegations.
- 9 b. Plaintiff selflessly stepped forward on behalf of the absent Class Members to
10 take the initiative to move forward with litigation and, throughout the case,
11 Plaintiff have assisted counsel in a prompt and effective manner.
- 12 c. Plaintiff took personal time to review Defendant's policies and records with
13 Class Counsel so that they had a better understanding of Defendant's operations.
- 14 d. By bringing forth this matter, Plaintiff put himself in a situation where current,
15 or prospective, employers could learn of the case and, possibly, treat them
16 adversely for advocating on behalf of a class.

17 10. Plaintiff also aggressively and competently asserted the interests of the proposed
18 Settlement Class, has taken an active role in this litigation, and has no apparent conflicts with
19 other class members.

20 11. The work performed in this matter, the backgrounds of my firm, as well as the
21 individual backgrounds, training, and experience of the attorneys who worked on this matter, in
22 litigating class actions, and in particular, wage-and-hour matters, support a reasonable blended
23 hourly rate of compensation at the rate of \$625 per hour for work performed by my office, Haig B.
24 Kazandjian Lawyers, APC. The rate of at least \$625 per hour has been found to be a reasonable
25 rate of compensation for, and awarded with respect to, work performed by members of the Haig B.
26 Kazandjian Lawyers, APC, by courts granting final approval in other cases.

27 12. I have considered the substantial risks of certification, summary adjudication, trial,
28 and the possibility that the case, if not settled now, might result in no recovery at all or in recovery

1 many years down the road that will ultimately be less favorable to the Class Members if there are
2 appeals. Having carefully weighed all these considerations, I am satisfied that the proposed
3 Settlement is in the best interests of the Class.

4 13. I am aware that the common and acceptable rate for contingency representation in
5 wage-and-hour class action litigation is in the range of approximately 33.3% and up to 50%.

6 14. The Motion for Final Approval in this case requests reasonable attorneys' fees,
7 costs and expenses incurred in connection with the litigation. Class Counsel will request attorneys'
8 fees up to thirty-three and one-third (33.33%) of the GSA (i.e., \$2,300,000.00). Class Counsel will
9 request litigation costs and expenses not to exceed \$25,000.00. For the purposes of the settlement
10 only, Defendants have agreed not to oppose this request for Class Counsel Fees and Costs.

11 15. I have incurred many hours of work in connection with this matter, such that the
12 fee request is also justified under a lodestar analysis. Attached hereto as **Exhibit A** is a true and
13 correct copy of the Attorney Task and Time Chart that sets forth in detail the breakdown of time
14 for the requisite tasks performed by my office Haig B. Kazandjian Lawyers, APC.

15 a. Haig B. Kazandjian Lawyers, APC has spent a total of 90.05 hours performing
16 tasks and at least \$56,281.25 in attorneys' fees on behalf of Plaintiffs and the
17 Class Members.

18 b. These hours include work done by myself and my associate, and several
19 members of the firm, including litigation support personnel actively engaged in
20 assisting with the prosecution of this case.

21 c. For a complete loadstar analysis of all attorney fees from all of Plaintiffs'
22 Counsel in this matter, please refer to the Declaration of Lead Plaintiffs'
23 Counsel, Jean-Claude Lapuyade, Declaration.

24 16. To date, Class Counsel has borne all of the risks and costs of litigation and will not
25 receive any compensation until recovery is obtained by Plaintiff and the Settlement Class
26 Members. Attached hereto as **Exhibit B** is a true and correct copy of the case expenses incurred by
27 my office. The Haig B. Kazandjian Lawyers, APC has incurred \$721.21 in litigation costs and
28 expenses.

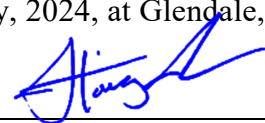
1 17. In December 2011, I obtained a license to practice law from the California State
2 Bar. From approximately January 2012 to the present, I have been the founder of Law Offices of
3 Haig B. Kazandjian. Since 2017, I have been the founder and principal attorney at Haig B.
4 Kazandjian Lawyers APC. My practice focuses on complex cases involving labor and
5 employment, as well as mass tort claims. Currently I am the attorney of record in several
6 employment-related wage and hour putative class actions and PAGA representative actions.

7 18. I am well-experienced in wage-and-hour class action litigation as well as PAGA
8 litigation and have gained Final Approval of many wage-and-hour class action cases and PAGA only
9 cases. By way of example, I have acted as lead counsel on the following class and PAGA cases
10 which gained Final Approval by the Court: (1) Kalbaklian et al. v. PSI Services LLC (BC637011 –
11 Judge Freeman); (2) Hackett et al. v. Hotei Marketing (BC639589 – Judge Palazuelos); (3)
12 Shamiryan et al. v. Codemetro (BC683326 – Judge Buckley) (4) Gutierrez et al. v. Foremost Foods
13 Corp. (BC706453 – Judge Mooney); (5) Salinas et al. v. True World Foods Los Angeles
14 (18STCV01288– Judge Nelson); (6) Estrada v. TT Fremont Holding, Inc. (19CHCV00193 – Judge
15 Sandvig); (7) Visket v. LA Solar Group Inc (LS030122 – Judge Cotton); (8) Nicholas v. Rockstar
16 Beverage Corp. (19STCV18234 – Judge Court); (9) Glassel v. Toscanova (20VECV00755 – Judge
17 Keeny); (10) Beltran v. Vista Del Mar Child and Family Services (20SMCV01926 – Judge Karlan);
18 (11) Arceo v. Volcano Grill, Inc. (19BBCV00473 – Judge Kralik); (12) Gonzalez-Arellano v.
19 Starchild Interventions (21STCV10947); (13) Ba v. Advantage Gold LLC (20SMCV01687 – Judge
20 Epstein); (14) Godinez v. The Natures Bounty Co. (20CHCV00263- Judge Sandvig; (15) Martinez
21 v. Alfred Club, LLC (19STCV44314- Judge Jones); (16) Cam Luu, et al. v. PMI Management, LLC
22 (21STCV11962) – Judge Leis); (17) Alexandre Passos, et al. v. Beaumont Management Co. Inc., et
23 al. (20VECV00962 – Judge Fahey); (18) Gerardo Linares, et al. v. Adept Fasteners, Inc.
24 (21CHCV00181- Judge Pfahler); (19) Lisa Clark, et al. v. Allstate Investment Group, Inc. (
25 21SMCV00632 - Judge Zukin); (20) Mariam Davtyan, et al. v. IN2VISION Programs, LLC (
26 21NWCV00175- Judge Bernal); (21) Erik Lopez, ett al. v. The Switch Enterprises, LLC
27 (21BBCV00710 - Judge Hofer); (22) Arin Shipley, et al. Robsag Inc., et al. (20GDCV00578 - Judge
28 Leis) (23) Aivazian v Lakeside Medical Group (BC701224-Judge Nelson); (24) Gragoosian v. Volt

1 Management Corporation (20STCV28854- Judge Fruin); (25) Ramirez v. Melrose Gardens LA,
2 LLC (21STCV05842- Judge Tamzarian); (26) Gutierrez v Buca, Inc. (19BBCV01008- Judge
3 Kralik); (27) Gonzalez v 4 Over, LLC, et al. (18STCV01287 – Judge Riff).; (28) Smith v Velocity
4 Aerospace Group, Inc. (20STCV03159 Judge Palazuelos); and (29) Landeros v Gardner
5 Management, Ltd. (20STCV03151 Judge Palazuelos); (30) Bustamante v Calwest Refrigeration, Inc.
6 (CIVSB2119755 Judge Cohn); (31) Baez v Centinela Skilled Nursing & Wellness Centre, East, LLC
7 (21TRCV00270 Judge Tanaka); (32) Hill v. Prime Healthcare Centinela, LLC (20TRCV00071-
8 Judge Tanaka); (33) Kim v. Hi-Temp Metals, Inc. (21CHCV00176 Judge Pfahler).; (34) Passos v
9 Beaumont Management Co., Inc. (20VECV00962- Judge Fahey); (35) Traub v Roll Up Doors, Inc.
10 (21PSCV00705 – Judge Falls); (36) Rhyoo v. Loan depot (VECV01419 – Judge Cotton); (37)
11 Keraachi v Net2Source Inc (21GDCV01171 – Judge Hofer); (38) Scarpati v Consejosano, Inc.
12 (22BBCV00003 – Judge Kralik); (39) Chenault v. Los Angeles Collective, LLC (21STCV43550
13 Judge Meiers); (40) Mosley v Tender Home Health (21CHCV00773 Judge Sandvig); (41)
14 Cummings v. A Community of Friends (21STCV09262 -Judge Landin); (42) Davtyan v. In2Vision
15 Programs, Inc. (21NWCV00175 - Judge Bernal); (43) Garcia v Alyn Industries, Inc.
16 (21VECV00671 – Judge Watkins); (44) Borillo v S&F Management Company, Inc.
17 (21SMCV01370 Judge Mandel); (45) Panosian v. 5905 AHK, LLC (21VECV00401 Judge Salkin);
18 (46) Medina v. Caden (19VECV00781 Judge Virginia Keeny); (47) Lopez-Casillas v. PHC Service
19 Co. (21STCV08874 Judge Stephen I. Goorvitch); (48) Banks v. Carter Saco Logistics
20 (21CHCV00399 Judge Stephen P. Phahler); (49) Gamil v. 444-448 W. Windsor, LLC,
21 (22GDCV00100 - Judge David A. Rosen) and (50) Mota v. Mt. Olive, (22PSCV00154- Judge Sirna
22 Savatore).

23 19. I submit that the Settlement is fair, reasonable, adequate, and in the best interests of
24 Plaintiffs, the PAGA Members, and the State of California.

25 I declare under penalty of perjury under the laws of the State of California that the
26 foregoing is true and correct. Executed this 6th day of February, 2024, at Glendale, California.

27 

28 _____
Haig B. Kazandjian

EXHIBIT A

HAIG B. KAZANDJIAN LAWYERS, APC

BRITTANI POWELL, ET AL. v. CORE COMMUNITY ORGANIZED RELIEF EFFORT, ET AL.

CASE NO. CGC-21596527

Date	Hours	Description	Rate	Billable
	2.25	Pre-lawsuit investigation of key facts with a focus on Class Certification Elements, including Adequacy of Potential Plaintiff(s), Typicality, Superiority, and Commonality; Pre-Lawsuit Investigation of the Merits of Plaintiff's Claims and the Merits of the Claims of Other Putative Class Members, including Claims for Civil Penalties Under the California Private Attorneys General Act of 2004, Labor Code §§ 2698, et seq	\$625	\$1,406
	3.5	Pre-Lawsuit Inquiry and Analysis of Potential Damages and Civil Penalties Exposure of Defendants with Respect to the Damages Sustained By/Civil Penalties Owed to Plaintiff and the Representative Class	\$625	\$2,188
	2.25	Pre-Lawsuit Legal Research & Analysis of Latest Off-the-Clock, Meal and Rest Break Law, Failure to Reimburse Business Expenses, and Representative PAGA Decisions, including all New Relevant DLSE Materials	\$625	\$1,406
	2.75	Investigation of Defendant's Organization and Corporate Structure, Vendors, and Executive Reporting Structure as They Related to the Employment and Management of the Representative Class Members	\$625	\$1,719
	3	Investigation of Defendant's Executives, Officers, and Leadership with a Focus on Involvement in Wage and Hour Issues and Establishing Willfulness and Uniformity	\$625	\$1,875
	2.5	Research and Analysis of Potential Defenses Defendant May Raise, Including, Non- Compensable Off-the-Clock Work, Waiver, and Compliant Policies	\$625	\$1,563
	4.75	Analysis and Review of Personnel Documents/Client Docs of Plaintiff	\$625	\$2,969
	1.25	Research and Analysis of Defendants' Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues.	\$625	\$781
	2	Research into Case Law and Active Cases Involving Facts Where Defendant Failed to Provide the Required Premium Pay Payments	\$625	\$1,250
	2.25	Review and Analysis of Defendant's Written Policies, Practices, and Procedures and Related Documents Regarding Timekeeping, Compensation, and Wage-and-Hour Compliance	\$625	\$1,406
	0.5	Draft, edit, and review Records Request document.	\$625	\$313
	1	Draft, edit, review and send PAGA Notice to LWDA.	\$625	\$625
	1.5	Draft, edit, review and file PAGA Complaint (23STCV00412)	\$625	\$938
	0.4	Email discussion with Co-Counsel, re Arbitration agreement.	\$625	\$250
	0.2	Scheduling a phone call with Opposing Counsel to discuss the Arbitration Agreement.	\$625	\$125
	0.4	Draft, prepare and file Notice of Continued Case Management Conference.	\$625	\$250
	1	Email correspondence with co-counsel, discussing Joint Prosecution And Attorney Fee Division Agreement	\$625	\$625
	0.4	Phone correspondence with Co-Counsel re mediator.	\$625	\$250
	0.3	Phone correspondence with Opposing Counsel re PAGA notice and complaint from the other case in San Francisco.	\$625	\$188
	1.1	Receive, review Complaint and LWDA Notice from the first-filed Brittani Powell matter.	\$625	\$688
	1	Email correspondence with Opposing Counsel re First Amended Complaint and extension to file the answer.	\$625	\$625
	1.2	Draft, edit, review joint stipulation to stay proceedings; [Proposed] Order	\$625	\$750
	0.25	Receive, review proposed edits to the stipulation.	\$625	\$156
	1	Email discussing with Opposing Counsel re Stipulation.	\$625	\$625
	1.5	Email correspondence with co-counsel, discussing the settlement agreement and class notice.	\$625	\$938
	0.3	Discussing proposed revisions with Co-Counsel	\$625	\$188
	0.1	Send MOU to client for his signature.	\$625	\$63
	0.1	Send executed MOU to Co-Counsel.	\$625	\$63
	0.1	Send Settlement Agreement to client for his signature.	\$625	\$63
	0.1	Send executed Settlement Agreement to Co-Counsel.	\$625	\$63
	0.3	Reviewing [Proposed] Order Granted Plaintiffs' Motion for Preliminary Approval of Class and PAGA Action Settlement	\$625	\$188
	0.2	Receive, Review fully executed copy of the Class and PAGA Settlement agreement.	\$625	\$125
	0.2	Draft, edit review Plaintiff's Notice of Court's Order.	\$625	\$125
	0.4	Email correspondence with Plaintiff.	\$625	\$250

	1.2	Draft, Edit, Review Declaration of Haig B. Kazandjian in Support of Plaintiffs' motion for Preliminary Approval of Class and PAGA Action Settlement	\$625	\$750
	0.4	Draft, Edit, Review Declaration of Roscoe Simpson in Support of Plaintiffs' Motion for Preliminary Approval of Class and PAGA Action Settlement	\$625	\$250
	0.5	Joint Stipulation to Continue the Case Management Conference; [Proposed] Order	\$625	\$313
	0.5	Draft, edit review Plaintiff's Case Management Statement	\$625	\$313
	0.4	Reviewing Plaintiffs Conformed Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action and PAGA Settlement.	\$625	\$250
	2.25	Reviewed and Approved Class Action and PAGA Settlement Agreement and Class Notice	\$625	\$1,406
	1.2	Reviewing Declaration of Madely Nava of APEX Class Action, LLC, in Support of Motion for Final Approval of Class Action Settlement	\$625	\$750
	1.2	Draft, Edit, Review Class Action Declaration of Roscoe Simpson in Support of Plaintiffs' Motion for Final Approval of Class and PAGA Action Settlement	\$625	\$750
	1.5	Draft, Edit, Review Class Action Declaration of Haig B. Kazandjian in Support of Plaintiffs' Motion for Final Approval of Class and PAGA Action Settlement	\$625	\$938
	0.2	Reviewing Court's Minute Order dated 04/11/2023	\$625	\$125
	0.2	Reviewing Court's Minute Order dated 06/14/2023	\$625	\$125
	0.2	Reviewing Court's Minute Order dated 07/05/2023	\$625	\$125
	10	Correspond and strategize with co-counsel, JCL LAW FIRM, APC and ZAKAY LAW GROUP, APLC throughout the length of the litigation	\$625	\$6,250
	27.25	Meet in person and communicate via email and phone with Named Plaintiff throughout the pendency of the case.	\$625	\$17,031

COURT HEARINGS/ APPEARANCES

4/11/23	1	Prepare and appear at Case Management Conference	\$625	\$625
6/14/23	1	Prepare and appear at Case Management Conference	\$625	\$625
9/13/23	1	Prepare and appear at Case Management Conference (SF CASE#: CGC-21596527)	\$625	\$625

**Total
Hours:** 90.05

Total Attorney Fees: \$56,281.25

EXHIBIT B

Re: Invoice for Professional Service Re Roscoe Simpson, Core Community Organized Relief Effort

Hours	Description	Billable (\$)
FEE	PAGA Notice. Certified Mailing fee	4.81
FEE	Paga Notice filing fee	75.0
FEE	CA: New Case Filing - #23LA00034085 - ROSCOE SIMPSON, individually and on behalf of all other A...: Complaint (3 filings)	451.7
FEE	InfoTrack: Process Serving - #8328970 - ROSCOE SIMPSON, et al. vs CORE COMMUNITY ORGAN...: Core Community Organized Relief Effort	100.0
FEE	CA: File To Existing - #23LA00207401 - ROSCOE SIMPSON, et al. vs COR...: Proof of Service by Substituted Service (1 filing)	17.15
FEE	CA: File To Existing - #23LA00523613 - ROSCOE SIMPSON, et al. vs CORE COMMUNITY ORGA...: Notice (name extension) (1 filing)	17.15
FEE	CA: File To Existing - #23LA01079339 - ROSCOE SIMPSON, et al. vs CORE COMMUNITY ORGA...: Notice (name extension) (1 filing)	17.15
FEE	One Legal- Stip and order Order Number 21662587	38.25

ITEMIZED CASE EXPENSES TOTAL: \$721.21