

COHELAN KHOURY & SINGER

Michael D. Singer (SBN 115301)

msinger@ckslaw.com

Diana M. Khoury (SBN 128643)

dkhoury@ckslaw.com

Jeff Geraci (SBN 151519)

jgeraci@ckslaw.com

605 C Street, Suite 200

San Diego, CA 92101

Tel: (619) 595-3001/Facsimile: (619) 595-3000

LAW OFFICES OF SAHAG MAJARIAN II

Sahag Majarian II (SBN 146621)

sahagii@aol.com

18250 Ventura Blvd.

Tarzana, CA 91356

Tel: (818) 609-0807/Facsimile: (818) 609-0892

Attorneys for Plaintiff Manuel Gutierrez, on behalf of himself
and all others similarly situated

SUPERIOR COURT OF CALIFORNIA

FOR THE COUNTY OF ORANGE

MANUEL GUTIERREZ, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

KITE ELECTRIC INCORPORATED, a
California corporation; and DOES 1 through 10,
Inclusive,

Defendants.

CASE NO. 30-2020-01133960-CU-OE-CXC
ASSIGNED FOR ALL PURPOSES TO:

The Honorable Peter J. Wilson

Department CX 102

CLASS ACTION

**DECLARATION OF SAHAG MAJARIAN
II IN SUPPORT OF MOTION FOR
ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: February 3, 2022

Time: 2:00 p.m.

Dept: CX 102

Judge: Honorable Peter J. Wilson

Filed: February 24, 2020

Trial date: Not set

1 I, Sahag Majarian II, declare as follows:

2 1. I am an attorney duly licensed to practice in the State of California and am the principal
3 of the Law Offices of Sahag Majarian II, one of the attorneys of record for Plaintiff Manuel Gutierrez
4 in this action against Defendant Kite Electric Incorporated. I have personal knowledge of the
5 following, and if called and sworn as a witness, I could and would competently testify thereto. This
6 declaration is made in support of preliminary approval of the class action settlement in this case.

7 2. I graduated from Loyola Law School in 1990. Since my graduation, I have been in private
8 practice primarily representing consumers against insurance companies and workers against their
9 employers. I have devoted a significant portion of my practice to employment law and class actions,
10 and have been appointed co-class counsel for the plaintiffs in no less than 50 wage and hour class
11 actions. A sample of these cases are: *Ayvazi v. Ralph Grocery Company*, LASC Case No. BC 382980;
12 *Sandoval vs. Chevron Stations, Inc.*, MCSC Case No. CV061690; *Nieves v. Roy's Worldwide, Inc.*,
13 OCSC Case No. 06CC0076; *Corado v. Good Year Rubber Corp.*, SBSC Case No. RCV095476;
14 *Pleitez v. Johnson Controls*, LASC Case No. BC353315; *Serrano v. BCI Coca Cola Bottling Co. of*
15 *L.A.*, LASC Case No. BC349904; *Urbina v. Valley Crest Co.*, LASC Case No. BC356023; *Moraza v.*
16 *OK International*, OCSC Case No. 06CC0148; *DeLuna v. Target*, LASC Case No. BC353080;
17 *Daglian v. Staples, Inc.*, LASC Case No. BC375325; *McCoy v. Kimko*, OCSC Case No. 07CC00007;
18 *Ayvazi v. Ralphs Grocery Company*, LASC Case No. BC382980; *Razo v. C & D Zodiac, Inc.*, OCSC
19 Case No 07-CC01373; *Sandoval v. Chevron Stations, Inc.* MCSC Case No. CV061690; and *Gomez v.*
20 *Spenuzza, Inc. et al*, RCSC Case No RIC524075.

21 3. In the employment class action arena, I have participated in over 300 class action
22 mediations. I have also been designated co-class counsel in various cases where we prevailed in
23 contested class certification motions. These cases include *Herrera v. Mountain Meadow Mushroom*
24 *Farms, Inc.*, SDCSC Case No. 37- 2009-00092416-CU-MT-CTI; *Aguirre v. California Drop Forge,*
25 *Inc.*, LASC Case No. BC374521; and *Marroquin v. Swissport North America, Inc.*, LASC Case No.
26 BC390001.

27 4. My participation in this case has included legal research, extensive preparation,
28 development of a thorough knowledge of the legal issues related to certification and liability, and full

1 immersion and preparation for the mediation against Defendant. The settlement in this case was
2 reached after extensive negotiations during a full day mediation with an experienced and well-
3 respected mediator Hon. Jeffrey Winikow (Ret.). Based upon the totality of circumstances, I believe
4 that the result achieved in this case is an extremely good outcome for all class members.

5 5. Based on my experience as Class Counsel, and given the legal and factual realities
6 presented in this case, I believe the proposed settlement is fair, reasonable and adequate for the class.
7 As a result of my prior experience as class counsel in other class actions, I am fully aware of the
8 responsibilities I would owe as Class Counsel to the Class in this action.

9
10 I declare under the penalty of perjury under the laws of the State of California the foregoing is
11 true and correct and this declaration is executed December 3, 2021, in Tarzana, California.

12 DocuSigned by:
13 *Sahag Majarian*
3142D9828E6E4A2

14 Sahag Majarian II
15
16
17
18
19
20
21
22
23
24
25
26
27
28