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Attorneys for Plaintiff and the Settlement Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SACRAMENTO

LIBRADO SARCENO, individually, and on
behalf of other members of the general public
similarly situated and on behalf of other
aggrieved employees pursuant to the
California Private Attorneys General Act;

Plaintiff,

vs.

REGULUS GROUP, LLC, an unknown
business entity; TRANSCENTRA, INC. an
unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 34-2018-00234541-CU-OE-GDS

Honorable Shama H. Mesiwala
Department 53

CLASS ACTION

**DECLARATION OF EDWIN AIWAZIAN
IN SUPPORT OF PLAINTIFF'S MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT, ATTORNEYS'
FEES, COSTS, AND ENHANCEMENT
AWARD**

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees, Costs, and Enhancement
Award; Declaration of Class Representative
(Librado Sarceno); Declaration of Settlement
Administrator (Zachary Cooley); and
[Proposed] Final Approval Order and
Judgment filed concurrently herein]

Date: May 12, 2021
Time: 1:30 p.m.
Department: 53

Complaint Filed: June 11, 2018
FAC Filed: June 1, 2020
Trial Date: None Set

DECLARATION OF EDWIN AIWAZIAN

I, Edwin Aiwazian, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of California. I am a member of Lawyers *for* Justice, PC, attorneys of record for Plaintiff Librado Sarceno (“Plaintiff”) and the Settlement Class. The facts set forth in this declaration are within my personal knowledge or based on information and belief, and, if called as a witness, I could and would competently testify as follows.

PRELIMINARY APPROVAL OF SETTLEMENT

2. On November 25, 2020, in Department 53 of the above-entitled Court, the Honorable David I. Brown preliminarily approved the Joint Stipulation of Class Action and PAGA Settlement and Release (“Settlement,” “Agreement,” or “Settlement Agreement”) entered into between Plaintiff and Defendants Regulus Group, LLC and TransCentra, Inc. (“Defendants”), and conditionally certified the Settlement Class for settlement purposes. The Court preliminarily appointed Plaintiff Librado Sarceno as Class Representative. The Court also preliminarily appointed and designated Lawyers *for* Justice, PC as Class Counsel. The Court approved and ordered the mailing of the Notice of Proposed Class Action Settlement and Hearing Date for Final Court Approval of Settlement (“Class Notice”) and Claim Form (“Claim Form”), adopted the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed Simpluris, Inc. (“Simpluris”) to serve as Settlement Administrator for handling the notice and settlement administration process.

3. As of the date of filing the accompanying Motion for Final Approval, no Class Members have objected to the Settlement or the request for Attorneys’ Fees and Costs, Enhancement Award, Settlement Administration Costs, or allocation for the penalties under the Private Attorneys General Act of 2004, California Labor Code section 2698, et seq. (“PAGA”).

WORK PERFORMED BY CLASS COUNSEL

4. I have been actively engaged in litigating this matter since prior to the commencement of the action on June 11, 2018, as have several other attorneys and members in our firm.

1 5. Lawyers *for* Justice, PC has actively participated in all phases of the litigation
2 process. Before initiating the actions, Class Counsel investigated and researched the facts and
3 circumstances underlying the pertinent factual and legal issues and applicable law. This required
4 thorough discussions and interviews between attorneys at our firm and Plaintiff, and research
5 into the various legal issues involved in the cases, namely, the current state of the law as it
6 applied to certification, off-the-clock theory, meal and rest periods, wage-and-hour enforcement,
7 the claims of Plaintiff, and potential defenses. After conducting initial investigation, our firm
8 determined that the claims of Plaintiff were well-suited for class-wide adjudication owing to
9 what appeared to be a common course of conduct affecting a similarly situated group of current
10 and former non-exempt employees who worked for Defendants, who were not properly
11 compensated for, *inter alia*, all hours worked, and non-compliant meal and rest periods.

12 6. Prior to reaching the Settlement, the parties used the pre-mediation time period to
13 investigate the veracity, strength, and scope of the claims, and also to prepare the matter for class
14 certification, representative adjudication, and trial. The parties conducted significant formal and
15 informal discovery and investigation into the facts of the cases, and also informally exchanged
16 information and data in preparation for mediation. Class Counsel propounded multiple sets of
17 written discovery requests in various forms; reviewed Defendants' responses thereto; and
18 prepared and served numerous deposition notices. Class Counsel also interviewed and obtained
19 information from Plaintiff and other Class Members, including and not limited to the names of
20 potential witnesses, and reviewed and analyzed thousands of pages of documents and data
21 produced by Defendants and obtained through other sources. The documents and data reviewed
22 and analyzed by Class Counsel included, and were not limited to, Plaintiff's employment
23 records, a sampling of Class Members' payroll and time data (such as Time Card Reports and
24 Earning Statements), multiple iterations of Defendants' Employee Handbook, agreements (such
25 as Defendants' Confidentiality Agreement, and Employment Inquiry Release), acknowledgments
26 (such as Defendants' Acknowledgment of Receipt of the Employee Handbook and Employment
27 Policies), internal memoranda (regarding topics such as Defendants' meal and rest period
28 policies), and Defendants' operations and employment practices, training and orientation

1 materials, forms (such as Defendants' Acknowledgment of Receipt of the Employee Handbook
2 and Employment Policies form, procedures and policies (such as Defendants' Regulus Cash and
3 Card Handling Policy, Smock and Security Policy, timekeeping policies, overtime, and travel
4 costs policy, and meal and rest break policies), among other documents and data. Class Counsel
5 researched applicable law, developed damages/valuation models in preparation for mediation,
6 and met and conferred with Defendants' counsel on numerous occasions, e.g., to discuss issues
7 relating to the pleadings, case management, discovery, and production of various documents and
8 data prior to mediation. Other work performed by Class Counsel included, and was not limited
9 to, case strategy and analysis; drafting, reviewing, and revising pleadings and mediation brief;
10 preparing and appearing for court proceedings; and preparing for and attending mediation and
11 settlement negotiations.

12 7. As outlined herein, the parties have conducted significant formal and informal
13 discovery and investigation during the course of litigating the cases. Class Counsel analyzed
14 thousands of pages of documents and data either produced by Plaintiff and Defendants or
15 obtained by Class Counsel through other sources. These documents and data provided a critical
16 understanding of the nature of the work performed by the Class Members, as well as Defendants'
17 operations and employment policies, practices, and procedures, and were used in analyzing
18 liability, damages, and valuation issues in connection with all phases of the litigation, and
19 ultimately with the mediation and settlement negotiation process. Class Counsel also performed
20 significant research into the law concerning Defendants' defenses.

21 8. After conducting significant investigation of the facts and law during the
22 prosecution of the cases, counsel for the parties engaged in extensive settlement negotiations to
23 try to resolve the entire matter. These efforts included participating in a formal, full-day
24 mediation conducted by Honorable Raul A. Ramirez (Ret.), a well-regarded mediator
25 experienced in mediating complex labor and employment matters. During all settlement
26 discussions, the parties conducted their negotiations at arm's length in an adversarial position.
27 Prior to and during mediation, the parties exchanged information and data, and discussed all
28 aspects of the cases, including the risks and delays of further litigation, the risks to the parties of

proceeding with class certification and trial, the law relating to off-the-clock theory, meal and rest periods, representative PAGA claims, and wage-and-hour enforcement, the evidence produced and analyzed, and the possibility of appeals, among other things. Arriving at a settlement that was acceptable to the parties was not easy. Defendants also contended that individualized questions of fact predominate over any common issues, and these issues would pose challenges to certification and representative adjudication. Defendants and their counsel felt very strongly about Defendants' ability to prevail on the merits and to obtain a denial of class certification, while Plaintiff and Class Counsel believed that class certification would be obtained and that they would prevail at trial. With the aid of the mediator's evaluation, the parties agreed that the cases were well-suited for settlement given the legal issues relating to Plaintiff's principal claims, as well as the costs and risks to the parties that would attend further litigation. These risks of further litigation include, and are not limited to, a determination that the claims are unsuitable for class treatment and/or representative adjudication, failure to obtain certification, class de-certification after certification of a class, allowing a jury to decide the claims asserted in the **cases**, and the real possibility of no recovery after years of litigation.

9. As set forth more fully in the accompanying Motion for Final Approval, Class Counsel seeks attorneys' fees in the amount of \$490,000.00, which is thirty-five percent (35%) of the Maximum Settlement Amount of \$1,400,000.00, as set forth in the Settlement Agreement and the Class Notice. Pursuant to the contingency-fee agreement entered into by and between Plaintiff and Class Counsel, Plaintiff has agreed to a contingency fee of at least thirty-five percent (35%) of the recovery. The attorneys' fees sought are commensurate with: (1) the risk that Class Counsel took in commencing the cases; (2) the time, effort, and expense that Class Counsel dedicated to the cases; (3) the skill and determination that Class Counsel has shown; (4) the results that Class Counsel has achieved throughout the litigation; (5) the value of the settlement that Class Counsel has achieved for the Class Members; and (6) the other cases that Class Counsel has turned down in order to devote its time and efforts to this matter.

10. I am aware that the common and acceptable rate for contingency representation in wage and hour class action litigation is normally 40% before trial, with the range being from

33.3% up to 50%.

11. While not necessarily required to be demonstrated because the contingent fee is proper for this settlement, Class Counsel has incurred many hours of work in connection with prosecuting the cases such that the award of attorneys' fees is also justified under a simple lodestar analysis with a multiplier of 1.21. Class Counsel has spent a total of **581.75 hours** performing tasks and obtaining recovery on behalf of Plaintiff and the Class Members. Attached hereto as "**EXHIBIT A**" is an Attorney Task and Time and Chart that sets forth in detail the nature of the legal services provided by Class Counsel and the time incurred in performing those services. These hours include work done by myself and several of the firm's other members. We also had litigation support personnel actively engaged in assisting with the prosecution of this matter.

12. The work performed in this particular matter, the background of our firm, as well as the individual backgrounds, training, and experience of the attorneys who worked on this matter, in litigating complex wage-and-hour matters, and in particular, employment class actions, support a reasonable hourly rate of compensation at the rate of **\$700** for work performed by Class Counsel. Lawyers for Justice, PC has been awarded attorneys' fees, compensating the firm at the rate of at least \$700 per hour for legal services performed, by courts granting final approval in other cases: final approval of the class and representative action settlement in *Thereasa Carrozzella v. Basalite Concrete Products, LLC* (Sacramento County Superior Court Case No. 34-2017-00220214-CU-OE-GDS) was granted on February 21, 2020, and the award of attorneys' fees involved an hourly rate of \$766.05; final approval of the class and representative action settlement in *Alice Rutledge, et al. v. Healthport Technologies, LLC* (Alameda County Superior Court Case No. RG16835813) was granted on June 11, 2019, and the award of attorneys' fees involved an hourly rate of \$764.82; final approval of the class and representative action settlement in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No. SCV258764) was granted on February 6, 2019, and the award of attorneys' fees involved a higher hourly rate of \$855.96; final approval of the class and representative action settlement in *Stanley Bland, et al. v. Telecare Corporation* (Alameda County Superior Court Case No.

RG16811450) was granted on November 21, 2018, and the award of attorneys' fees involved a higher hourly rate of \$831.38; final approval of the class and representative action settlement in *Maryjo Ungerbuhler Anderson v. Boyett Petroleum* (Stanislaus County Superior Court Case No. 2020582) was granted on May 15, 2018, and the award of attorney's fees involved a higher hourly rate of \$780.77; and final approval of the class and representative action settlement in *Demetrius Camarillo v. Blue Diamond Growers* (Sacramento County Superior Court Case No. 34-2015-00175871) was granted on June 30, 2017, and the award of attorneys' fees involved a higher hourly rate of \$845.64.

ADEQUACY OF LAWYERS *for* JUSTICE, PC

EDUCATION

13. In May of 2004, I graduated from *Pepperdine University School of Law* with a Juris Doctor degree. I have extensive formal training in dispute resolution and negotiation from the Straus Institute for Dispute Resolution as part of its Masters in Dispute Resolution degree program. In addition, I have previously served as a *pro bono* mediator for the Los Angeles County Superior Court. In October of 2000, I obtained a Litigation Paralegal Certificate from the *UCLA Extension Program*. During the summer of 2000, I studied Legal Writing at *Harvard University*. In April of 1999, I obtained a Bachelor of Arts degree in Communication with a concentration in Natural Sciences from *Pepperdine University*.

JUDICIAL EXTERNSHIPS

14. From approximately September 2002 to approximately December 2002, I served as a Judicial Extern to the Honorable Kim McLane Wardlaw of the *United States Court of Appeals for the Ninth Circuit*. From approximately June 2002 to approximately August 2002, I served as a Judicial Extern to the Honorable Earl Johnson, Jr. of the *California Court of Appeal for the Second Appellate District*.

LITIGATION AND CLASS ACTION EXPERIENCE

15. In December of 2004, I obtained a license to practice law from the California State Bar. From approximately December 2004 to approximately August 2008, I was employed by *Girardi & Keese*.

1 16. At *Girardi & Keese*, my practice focused on class actions and other complex
2 cases involving toxic torts and products liability. In addition, I gained substantial experience on
3 cases involving insurance bad faith, premises liability, and medical negligence. While employed
4 by *Girardi & Keese*, I argued approximately 100 motions, took or defended approximately 150
5 depositions, and prepared dozens of expert witnesses for deposition or trial.

6 17. Since its inception, in or around October of 2008, our firm has almost exclusively
7 focused on the prosecution of consumer and employment class actions, involving wage-and-hour
8 claims, race discrimination, unfair business practices or consumer fraud. Currently, we are the
9 attorneys of record in over a dozen employment-related putative class actions in both state and
10 federal courts in the State of California. Our firm has successfully litigated cases involving the
11 executive, administrative, and other overtime exemptions to the State of California and federal
12 overtime compensation requirements. During this relatively short time, in association with other
13 law firms, we have obtained millions of dollars on behalf of thousands of individuals in
14 California.

15 **EXAMPLES OF CLASS ACTION RESULTS**

16 18. What follows are just a few examples of the type of results we have achieved on
17 behalf of our clients:

18 a) Our firm, in association with co-counsel, represented the plaintiffs in a
19 wage-and-hour class and representative action against a major property management company
20 involving allegations of misclassification of various “manager” positions. On September 20,
21 2010, the court granted final approval of the class and representative action settlement. The Los
22 Angeles County Superior Court Case Number is BC400414.

23 b) Our firm, in association with co-counsel, represented the plaintiffs in a
24 wage-and-hour class action against a national retailer involving allegations of misclassification
25 of the “Assistant Store Manager” position. On October 28, 2010, the court granted final
26 approval of the class action settlement. The Los Angeles County Superior Court Case Number is
27 BC413498.

28 c) Our firm, in association with co-counsel, represented the plaintiffs in a

1 wage-and-hour class and representative action against a national property management company
2 involving allegations of misclassification of the “Property Manager” position. On May 23, 2012,
3 the court granted final approval of the class and representative action settlement. The Los
4 Angeles County Superior Court Case Number is BC430918.

5 d) Our firm, in association with co-counsel, represented the plaintiffs in a
6 wage-and-hour class action against a national retailer involving allegations of misclassification
7 of the “Store Manager” position. On June 10, 2011, the court granted plaintiffs’ motion for class
8 certification. On August 26, 2013, the court granted final approval of the class action settlement.
9 The Los Angeles County Superior Court Case Number is BC424012.

10 e) Our firm, in association with co-counsel, represented the plaintiffs in a
11 wage-and-hour class and representative action against a bank, involving allegations of
12 misclassification of the “Assistant Branch Manager” position. On August 27, 2013, the court
13 granted final approval of the class and representative action settlement. The Kern County
14 Superior Court Case Number is S-1500-CV-273194-LHB.

15 f) Our firm, in association with co-counsel, represented the plaintiffs in a
16 wage-and-hour class and representative action against a national wholesale distributor of
17 plumbing and builder supplies, involving allegations of misclassification of multiple salaried
18 “manager” positions. On May 22, 2014, the court granted final approval of the class and
19 representative action settlement. The Sacramento County Superior Court Case Number is 34-
20 2012-00136285.

21 g) Our firm, in association with co-counsel, represented the plaintiffs in a
22 wage-and-hour class action involving allegations of misclassification of the “Operations
23 Manager” position. On September 16, 2014, the court granted plaintiffs’ motion for class
24 certification. The Los Angeles County Superior Court Case Number is BC478769.

25 h) Our firm, in association with co-counsel, represented the plaintiffs in a
26 wage-and-hour class and representative action against a national retailer of household items, on
27 behalf of hourly-paid or non-exempt employees. On May 27, 2015, the court granted final
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1 approval of the class and representative action settlement. The San Francisco County Superior
2 Court Case Number is CGC-13-532344.

3 i) Our firm, in association with co-counsel, represented the plaintiffs in a
4 wage-and-hour class action involving allegations of misclassification of the salaried residential
5 “Property Manager” position. On September 17, 2015, the court granted plaintiffs’ motion for
6 class certification. The Los Angeles County Superior Court Case Number is BC474784.

7 j) Our firm, in association with co-counsel, represented the plaintiffs in a
8 wage-and-hour class and representative action against a national retailer of upscale hardware and
9 home furnishings, on behalf of non-exempt employees. On April 28, 2016, the court granted
10 final approval of the class and representative action settlement. The Los Angeles County
11 Superior Court Case Number is JCCP4794.

12 k) Our firm, in association with co-counsel, represented the plaintiffs in a
13 wage-and-hour class and representative action against a national retailer of apparel and fashion
14 accessories, on behalf of non-exempt employees. On August 5, 2016, the court granted final
15 approval of the class and representative action settlement. The Los Angeles County Superior
16 Court Case Number is BC488069.

17 l) Our firm, in association with co-counsel, represented the plaintiffs in a
18 wage-and-hour class action against a national retailer of apparel, accessories, and home products,
19 involving allegations of misclassification of the “Department Manager” position. On August 12,
20 2016, the court granted plaintiffs’ motion for class certification in part and certified a class. The
21 Alameda County Superior Court Case Number is RG13680477.

22 m) Our firm represented the plaintiff in a representative action under the
23 Private Attorneys General Act, against a real estate and property management company, on
24 behalf of non-exempt employees. On November 4, 2016, the Court granted approval of the
25 settlement. The Orange County Superior Court Case Number is 30-2015-00775439-CU-OE-
26 CXC.

27 n) Our firm, in association with co-counsel, represented the plaintiffs in a
28 wage-and-hour class action against a full-service bank, on behalf of non-exempt employees. On

1 November 18, 2016, the court granted final approval of the class action settlement. The San
2 Francisco County Superior Court Case Number is CJC-13-004839.

3 o) Our firm represented the plaintiffs in a wage-and-hour class and
4 representative action against a foodservice distributor, on behalf of non-exempt employees. On
5 January 26, 2017, the court granted final approval of the class and representative action
6 settlement. The San Bernardino County Superior Court Case Number is CIVDS1507260.

7 p) Our firm, on behalf of the plaintiff and respondent in a PAGA
8 representative action, successfully opposed in the trial court, and briefed and argued an appeal
9 with respect to the employer's motion to compel arbitration, which resulted in a published
10 opinion by the California Court of Appeal in favor of employees. *Roberto Betancourt v.*
11 *Prudential Overall Supply*, 9 Cal.App.5th 439 (Cal. App. 4th Dist., Mar. 7, 2017), review denied,
12 cert. denied (U.S. Supreme Court Docket No. 17-254).

13 q) Our firm, in association with co-counsel, represented the plaintiffs in a
14 wage-and-hour class and representative action against a consumer packaging company, on behalf
15 of non-exempt employees. On March 10, 2017, the court granted final approval of the class and
16 representative action settlement. The Los Angeles County Superior Court Case Number is
17 BC590429.

18 r) Our firm, in association with co-counsel, represented the plaintiffs in a
19 wage-and-hour class action and representative action against a manufacturer of food service
20 industry supplies on behalf of non-exempt employees. On April 14, 2017, the court granted final
21 approval of the class and representative action settlement. The Orange County Superior Court
22 Case Number is 30-2015-00810013-CU-OE-CXC.

23 s) Our firm represented the plaintiff in a wage-and-hour class and
24 representative action against a property management company, on behalf of non-exempt
25 employees. On June 14, 2017, the court granted final approval of the class and representative
26 action settlement. The Los Angeles County Superior Court Case Number is BC586234.

27 t) Our firm represented the plaintiffs in a wage-and-hour class action and
28 representative action against a food company on behalf of non-exempt employees. On June 30,

2017, the court granted final approval of the class and representative action settlement. The Sacramento County Superior Court Case Number is 34-2015-00175871.

u) Our firm represented the plaintiffs in a wage-and-hour class action and representative action against a chocolate company on behalf of non-exempt employees. On July 19, 2017, the court granted final approval of the class and representative action settlement. The Alameda County Superior Court Case Number is RG15764300.

v) Our firm represented the plaintiffs in a wage-and-hour class action and representative action against a manufacturer of plastic containers on behalf of non-exempt employees. On October 31, 2017, the court granted final approval of the class and representative action settlement. The Los Angeles County Superior Court Case Number is BC577233.

w) Our firm, in association with co-counsel, represented the plaintiffs in a wage-and-hour class action and representative action against a property management company on behalf of hourly-paid and non-exempt employees. On January 4, 2018, the court entered an order granting final approval of the class and representative action settlement. The Los Angeles County Superior Court Case Number is JCCP 4819.

x) Our firm, in association with co-counsel, represented the plaintiffs in a wage-and-hour class action and representative action against a global provider of flexible office space solutions. On February 15, 2018, the court entered an order granting final approval of the class and representative action settlement. The Los Angeles County Superior Court Case Number is BC498401.

y) Our firm, in association with co-counsel, represented the plaintiff in a wage-and-hour class action against a container manufacturer, on behalf of non-exempt employees. On October 15, 2018, the court granted the plaintiff's motion for class certification. The Tulare County Superior Court Case Number is VCU264528.

z) Our firm represented the plaintiffs in a wage-and-hour class and representative action against a behavioral health service provider on behalf of non-exempt employees. On November 13, 2018, the court granted final approval of the class and

1 representative action settlement. The Alameda County Superior Court Case Number is
2 RG16811450.

3 aa) Our firm, in association with co-counsel, represented the plaintiff in a
4 representative action under the Private Attorneys General Act, against a global provider of
5 products and services to the energy industry, on behalf of hourly-paid and non-exempt
6 employees. On November 19, 2018, the Court granted approval of the settlement. The Kern
7 County Superior Court Case Number is S-1500-CV-280215-SDC.

8 bb) Our firm represented the plaintiff in a wage-and-hour class action against
9 a parking company on behalf of non-exempt employees. On September 3, 2019, the court
10 granted the plaintiff's motion for class certification and certified a class. The Santa Clara County
11 Superior Court Case Number is 16CV292208 and the Judicial Council Coordination Proceeding
12 Number is JCCP 4886.

13 cc) Our firm, in association with other counsel, on behalf of the plaintiff and
14 respondent in a PAGA representative action, successfully opposed in the trial court, and briefed
15 and argued an appeal with respect to the employer's motion to compel arbitration, resulting in a
16 notable decision from the California Supreme Court clarifying the law and finding, in part, that
17 employer arbitration agreements are unenforceable where they block a PAGA claim from
18 proceeding, *ZB, N.A. v. Superior Court*, 8 Cal.5th175 (2019).

19 dd) Our firm represented the plaintiffs in a wage-and-hour class and
20 representative action against a bank on behalf of non-exempt employees. On September 27,
21 2019, the court granted the plaintiffs' motion for class certification in part and certified a class.
22 The Alameda County Superior Court Case Number is RG15757606 and the Judicial Council
23 Coordination Proceeding Number is JCCP 4921.

24 ee) Our firm represented the plaintiffs in a wage-and-hour class and
25 representative action against a national retailer of apparel and fashion accessories, on behalf of
26 non-exempt employees. On October 9, 2019, the court granted the plaintiffs' motion for class
27 certification in part and certified a class. The Sacramento County Superior Court Case Number
28 is 34-2015-00175330-CU-OE-GDS.

1 ff) Our firm represented the plaintiff in a wage-and-hour class and
2 representative action against a medical equipment supplier on behalf of non-exempt employees.
3 On February 13, 2020, the court granted the plaintiff's motion for class certification and certified
4 a class. The San Bernardino County Superior Court Case Number is CIVDS1505744.

5 gg) Our firm, in association with other counsel, represented the plaintiff in a
6 wage-and-hour class and PAGA representative action against a large national drug testing
7 laboratory on behalf of non-exempt employees. On February 21, 2020, the court granted the
8 plaintiff's motion for class certification and certified a class. The San Diego County Superior
9 Court Case Number is 37-2018-00019611-CU-OE-CTL.

10 hh) Our firm represented the plaintiffs in a wage-and-hour class and
11 representative action against a national retailer of sportswear, footwear, and camping equipment
12 on behalf of non-exempt employees. On March 16, 2020, the court granted in part the plaintiff's
13 motion for class certification and certified a class. The Riverside County Superior Court Case
14 Number is RICJCCP4930.

15 **LITIGATION COSTS AND EXPENSES INCURRED BY CLASS COUNSEL**

16 19. To date, Class Counsel has borne all the risks and costs of litigation and will not
17 receive any compensation until recovery is obtained by Plaintiff and the Class Members.
18 Lawyers for Justice, PC has incurred **\$10,964.10** in litigation costs and expenses as reflected in
19 **"EXHIBIT B"** attached hereto. These expenses were reasonable and necessary in the
20 prosecution of this matter and to obtain the Settlement. It should be noted that Class Counsel has
21 borne all of the risks and costs of litigation and will not receive any compensation until recovery
22 is obtained under the Settlement.

23 **ENHANCEMENT AWARD TO PLAINTIFF**

24 20. In recognition of his efforts and work serving as the Class Representative, the
25 Settlement provides for an Enhancement Award in the amount of \$7,500.00 to Plaintiff Librado
26 Sarceno to compensate Plaintiff for the time and effort that he expended on behalf of the
27 Settlement Class. The requested Enhancement Award is fair and appropriate. Plaintiff spent a
28 substantial amount of time and effort in producing relevant documents and past employment

1 records and provided the facts and evidence necessary to attempt to prove the allegations.
2 Plaintiff was available whenever Class Counsel needed him and actively tried to obtain
3 information that would benefit the Settlement Class. Plaintiff spent numerous hours speaking
4 with Class Counsel about his claims, describing his work experience with Defendants, and
5 gathering and reviewing documents. Accordingly, it is appropriate for Plaintiff Librado Sarceno
6 to receive \$7,500.00 as a reasonable Enhancement Award, in addition to his Individual
7 Settlement Payment, for his services on behalf of the Settlement Class.

8 21. I submit that the Settlement is fair, reasonable, and adequate. In addition, the
9 Settlement is in the best interests of Plaintiff and other Class Members.

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

12 Executed this 20th day of April 2021, at Glendale, California.

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15 _____
16 Edwin Aiwasian
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EXHIBIT A

SARCENO V. REGULUS GROUP, LLC, TRANSCENTRA
(SACRAMENTO COUNTY SUPERIOR COURT CASE NO. 34-2018-00234541-CU-OE-GDS)

ATTORNEY TASK AND TIME CHART

TASK	LAWYERS FOR JUSTICE, PC
Investigation and Research / Due Diligence	
Pre-Lawsuit Investigation of the Key Facts with a Focus on Class Certification Elements, Including Adequacy, Typicality, Superiority, and Commonality	10.50
Pre-Lawsuit Investigation of the Merits of Plaintiff Librado Sarceno's ("Plaintiff") Claims and the Merits of the Claims of the Putative Class Members	12.75
Pre-Lawsuit Investigation of Potential Damages Exposure of Defendant Regulus Group, LLC and TransCentra ("Defendants") with Respect to the Damages Sustained by Plaintiff and the Putative Class Members	10.75
Pre-Lawsuit Legal Research and Analysis of Latest Off-the-Clock, Meal and Rest Break, and Certification Decisions in California, Including all New Relevant DLSE Materials	6.50
Investigation of Defendants, Defendants' Business Relationships, and the Industry in which Defendants Operate	8.25
Investigation of Defendants' Organizational and Corporate Structure, Mergers and Acquisitions, Affiliates, Parent Company, and Executive Reporting Structure as It Relates to the Employment and Management of the Putative Class Members	14

Investigation of Defendants' Executives, Officers, and Leadership with a Focus on Involvement in Wage-and-Hour Issues and Establishing Willfulness and Uniformity	4.25
Analysis of Competitors within Industry and Various Relevant Geographic Areas within which Defendants Operates, and Comparing and Contrasting Defendants' Policies, Practices, and Procedures with the Policies, Practices, and Procedures of Defendants' Competitors	7.25
Research and Investigation Re: Locations Owned, Managed, or Operated by Defendants in California During the Class Period, Including Differences Between Locations and/or Divisions/Departments to Determine Whether Those Differences Will Cause Individual Issues to Predominate Over Common Issues	6
Comparative Analysis and Cross-Checking of All Available Job Postings by Defendants in Order to Determine Any Variation and Identify Job Duties and Responsibilities That Would be Susceptible to Being Performed Off-the-Clock or During Meal or Rest Breaks	8.50
Research and Investigation Re: Staffing Models and Staffing Levels at Defendants' Locations Worked by Putative Class Members Throughout California	3.75
Research and Investigation Re: Defendants' Written and Unwritten Policies, Practices, and Procedures Relating to Bonuses/Incentive/Shift Differential Pay, Timekeeping, Meal/Rest Breaks, Meal Waivers, On-Premises Breaks, Premiums, Overtime Compensation, Wage Statements, Uniforms, PPE, and Reimbursement of Business-Related Expenses	24
Research and Investigation Re: Various Software Programs Defendants Use to Conduct Its Everyday Business, Including Timekeeping Software, with a Focus on What Documents (Both Paper and Electronic) Are Created in the Normal Course of Business Relating to Overtime Worked, Off-the-Clock Time Worked Pre/Post-Shift, and Time Worked During Meal Breaks	4.25
Research and Analysis of Potential Defenses Defendants May Raise, Including <i>De Minimis</i> Work, Non-Compensable Off-the-Clock Work, Waiver, and Compliant Policies	5.50

Research and Investigation Re: Post- <i>Duran</i> vs. <i>U.S. Bank</i> Trial Manageability Issues, including Research Regarding Which Experts to Retain and For What Purpose	4
Research and Analysis of Defendants' Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues	3.50
Review and Analysis of Defendants' Written Policies, Practices, and Procedures and Related Documents Regarding Timekeeping, Compensation, Scheduling, and Wage-and-Hour Compliance	8.50
Prepare a Discovery Strategy Plan of Action, Including Topics of Inquiry Important to Certification, Liability, and Damages/Civil Penalties	6.50
Meet and Communicate with Plaintiff Librado Sarceno Throughout the Pendency of the Case	40
Investigate Potential Putative Class Member Witnesses and Meet and Communicate with Putative Class Members	22
Pleadings and Court Filings	
Research and Draft Plaintiff's Class Action Complaint for Damages and Legal Research and Analysis of All Claims Involved (filed on June 11, 2018)	12.75
Draft Plaintiff's Notice of Posting Jury Fees (filed on July 3, 2018)	0.25
Review and Analyze Defendants' Answer to Class Action Complaint for Damages and Research Affirmative Defenses in Defendants' Answer (served on August 6, 2018)	4.50
Review Court's Order and Notice of Assignment to Department 35 for Complex Case Management Determination (filed on August 7, 2018)	0.25
Draft Plaintiff's Case Management Statement (filed on January 16, 2019)	0.75

Review Defendants' Case Management Statement (served on January 16, 2019)	0.50
Review Court's Tentative Ruling Regarding Complex Determination (issued on January 29, 2019)	0.10
Review Court's Order Regarding Complex Determination and Minute Order (filed on January 31, 2019)	0.10
Review Defendants' Case Management Statement (served on May 14, 2019)	0.50
Draft Plaintiff's Case Management Statement (filed on May 17, 2019)	0.75
Review Court's Tentative Ruling for Case Management Conference (issued on May 28, 2019)	0.10
Review Court's Case Management Order and Minute Order (filed on May 30, 2019)	0.10
Review Court's Notice Regarding May 30, 2019 Status Conference (filed on June 6, 2019)	0.10
Review Defendants' Case Management Statement (served on August 22, 2019)	0.50
Meet and Confer with Defendants' Counsel, and Draft Joint Notice of Class Action Settlement (filed on August 23, 2019)	0.75
Review Court's Tentative Ruling Regarding Case Management Conference (filed on August 27, 2019)	0.10
Draft Plaintiff's Notice of Posting Complex Fees (filed on August 28, 2019)	0.10
Review Court's Tentative Ruling Regarding Case Management Conference (issued on August 27, 2019)	0.10
Review Court's Minute Order Regarding Case Management Conference (issued on September 9, 2019)	0.10
Review Defendants' Case Management Statement (served on December 23, 2019)	0.50
Draft Plaintiff's Case Management Statement (filed on December 27, 2019)	0.75

Review Court's Tentative Ruling Regarding Case Management Conference (issued on January 6, 2020)	0.10
Review Court's Minute Order Regarding Case Management Conference (filed on January 10, 2020)	0.10
Review Court's Amended Minute Order Regarding Case Management Conference (filed on January 10, 2020)	0.10
Review Court's Order and Notice of Re-Assignment of Complex Civil Case (filed on January 13, 2020)	0.10
Review Defendants' Case Management Statement (served on March 12, 2020)	0.50
Draft Plaintiff's Case Management Statement (filed on March 12, 2020)	0.50
Review Court's Notice of Hearing (filed on March 17, 2020)	0.10
Meet and Confer with Defendants' Counsel, Research and Draft Plaintiff's First Amended Class Action Complaint for Damages and Enforcement Under the Private Attorneys General Act, California Labor Code § 2698, Et Seq., and Draft Joint Stipulation to File a First Amended Complaint; [Proposed] Order (executed on May 11, 2020)	8.50
Review Defendants' Case Management Statement (filed on May 14, 2020)	0.50
Review Court's Order Granting Joint Stipulation to File a First Amended Complaint (filed on June 4, 2020)	0.25
Review Court's Minute Order Regarding Case Management conference (filed May 29, 2020)	0.10
Review Defendants' Notice of Further Case Management Conference (served on June 8, 2020)	0.25
Review and Analyze Defendants' Answer to First Amended Class Action Complaint for Damages and Research Affirmative Defenses in Defendants' Answer (served on June 16, 2020)	2.50

Review Court's Minute Order Regarding Case Management Conference (filed on August 6, 2020)	0.10
Review Defendants' Case Management Statement (served on August 13, 2020)	0.50
Draft Plaintiff's Case Management Statement (filed on August 13, 2020)	0.25
Reviewed Court's Tentative Ruling for Case Management Conference (filed on August 26, 2020)	0.10
Meet and Confer with Defendants' Counsel, and Draft Joint Case Management Conference Statement (filed on November 4, 2020)	1.25
Review Court's Tentative Ruling for Case Management Conference (filed on November 18, 2020)	0.10
Review Court's Minute Order regarding Case Management Conference (filed on November 20, 2020)	0.10
Draft Notice of Entry of Judgment or Order for Preliminary Approval of Class Action Settlement (filed on December 4, 2020)	0.25
Meet and Confer with Defendants' Counsel, and Draft Joint Stipulation to Vacate or in the Alternative, Continue Case Management Conference and Proposed Order (filed on December 28, 2020)	1.50
Review Court's Tentative Ruling Regarding Joint Stipulation to Vacate or Continue the Case Management Conference (issued January 7, 2021)	0.10
Draft Notice Regarding Case Management Conference (filed on January 7, 2021)	0.50
Review Court's Minute Order Regarding Case Management Conference (filed on January 8, 2021)	0.25
Appearances	
Prepare for Scheduled Case Management Conference (scheduled for January 31, 2019)	0.75

Prepare for Scheduled Case Management Conference (scheduled for May 30, 2019)	0.75
Prepare for Scheduled Case Management Conference (scheduled for September 6, 2019)	0.75
Prepare for Scheduled Case Management Conference (scheduled for January 10, 2020)	0.50
Prepare for Scheduled Case Management Conference (scheduled for January 8, 2021)	0.50
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (November 25, 2020)	1
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Final Approval of Class Action Settlement (May 12, 2021)	4
Discovery and Deposition	
Draft Letter to Defendant TransCentra Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Librado Sarceno (served on April 3, 2018)	1.50
Draft Letter to Defendant TransCentra Re: Follow Up Regarding Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Librado Sarceno (served on May 10, 2018)	0.75
Draft Letter to Defendant TransCentra Re: Final Follow Up Regarding Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Librado Sarceno (served on May 24, 2018)	0.75
Review and Analyze Documents Produced by Defendant TransCentra in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Librado Sarceno (served on June 1, 2018)	11.50
Draft Plaintiff's Form Interrogatories - General (Set One), Special Interrogatories (Set One), Special Interrogatories (Set Two), and Requests for Production of Documents (Set One) to Defendant Regulus Group, LLC (served on August 15, 2018)	5.75

Draft Plaintiff's Form Interrogatories - General (Set One), Special Interrogatories (Set One), Special Interrogatories (Set Two), and Requests for Production of Documents (Set One) to Defendant TransCentra (served on August 15, 2018)	5
Draft Plaintiff's Special Interrogatories (Set Three) and Requests for Production of Documents (Set Two) to Defendant Regulus Group, LLC (served on September 21, 2018)	7
Draft Plaintiff's Special Interrogatories (Set Three) and Requests for Production of Documents (Set Two) to Defendant TransCentra (served on September 21, 2018)	6.50
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant Regulus Group, LLC and Requests for Production of Documents (September 19, 2018; Organizational Structure) (served on August 15, 2018)	3.75
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant Regulus Group, LLC and Requests for Production of Documents (September 20, 2018; Job Duties) (served on August 15, 2018)	4.25
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant TransCentra and Requests for Production of Documents (September 17, 2018; Organizational Structure) (served on August 15, 2018)	3.50
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant TransCentra and Requests for Production of Documents (September 18, 2018; Job Duties) (served on August 30, 2016)	4
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant Regulus Group, LLC and Requests for Production of Documents (October 24, 2018; Affirmative Defenses) (served on September 21, 2018)	4.75
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant TransCentra and Requests for Production of Documents (October 25, 2018; Affirmative Defenses) (served on September 21, 2018)	4.50

Letters and Correspondence	
Draft PAGA Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Librado Sarceno for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on February 18, 2020)	3.50
Meet with Defendants' Counsel, and Draft Correspondence to, and Respond to Correspondence from, Defendants' Counsel	21
Mediation/Settlement	
Review and Analyze Mediation Data and Documents Produced by Defendant (served on July 12, 2019 and August 1, 2019) • Employee Handbooks and Policies • Sampling of Employee Time Data • Sampling of Employee Pay Data and Earnings Statements	68.25
Review and Analyze Defendants' Mediation Brief and Accompanying Exhibits (served on August 13, 2019)	13.50
Prepare for Mediation, Including Researching Settlement-Related Issues and Merits of Claims, Drafting the Mediation Brief, Compiling the Mediation Exhibits in Support of Mediation Brief, Performing Damages Analysis/Calculations, and Conferring with Expert/Consultant (submitted on August 8, 2019)	37.50
Travel to/from and Attend Mediation Session (August 15, 2019; Sacramento, California)	15.75
Draft, Review, Revise, Negotiate, and Finalize Joint Stipulation of Class Action and PAGA Settlement and Release (executed on July 16, 2020) and Draft Exhibits	22
Coordinate Settlement Administration with Settlement Administrator, Ongoing Monitoring of Settlement Administration, and Respond to Class Inquiries	8

Law and Motion	
Research and Draft Plaintiff's Notice of Motion and Motion for Preliminary Approval of Class Action Settlement, Declaration of Edwin Aiwasian in Support Thereof, Declaration of Librado Sarceno in Support Thereof, and [Proposed] Order Thereon (filed on October 27, 2020)	34
Review Defendants' Statement of Non-Opposition to Plaintiff's Motion for Preliminary Approval of Class Action Settlement (served on November 12, 2020)	3
Review Court's Order Granting Preliminary Approval of Class Action Settlement and Minute Order (filed on November 25, 2020)	1
Review and Analyze Settlement Administrator's Declaration Regarding Settlement Notice Administration; and Research and Draft Plaintiff's Motion for Final Approval of Class Settlement, Attorneys' Fees, Costs, and Service Award, and Declaration of Edwin Aiwasian in Support Thereof, and [Proposed] Final Approval Order and Judgment (filed on April 20, 2021)	30
Total Hours:	581.75

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL

Sarceno v. Regulus Group

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
6/11/2018	ProLegal	Attorney Service	150.95
6/11/2018	Sacramento Superior Court	Filing Fee	435.00
6/20/2018	ProLegal	Attorney Service	476.20
7/3/2018	ProLegal	Attorney Service	174.95
7/3/2018	Sacramento Superior Court	Jury Fee	150.00
7/24/2018	ProLegal	Attorney Service	289.90
8/15/2018	Golden State Overnight	Courier Service	25.60
9/21/2018	Golden State Overnight	Courier Service	31.25
1/16/2019	ProLegal	Attorney Service	144.95
1/24/2019	Legal Document Server, Inc.	Attorney Service	130.00
1/25/2019	CourtCall, LLC	Attorney Service	94.00
5/2/2019	Ramirez Arbitration & Mediation Services	Mediation Fee	2,750.00
5/17/2019	One Legal	Attorney Service	61.50
5/24/2019	CourtCall, LLC	Attorney Service	94.00
6/6/2019	Golden State Overnight	Courier Service	19.15
6/10/2019	One Legal	Attorney Service	60.00
6/26/2019	Legal Document Server, Inc.	Attorney Service	130.00
8/8/2019	Golden State Overnight	Courier Service	32.16
8/15/2019	Arby Aiwazian	Travel Reimbursement	322.18
8/22/2019	Artin Terpanchian	Consulting Fee	2,543.96
8/28/2019	Legal Document Server, Inc.	Attorney Service	165.00
8/28/2019	Sacramento Superior Court	Complex Fee	1,000.00
12/27/2019	Legal Document Server, Inc.	Attorney Service	120.00
1/3/2020	Legal Document Server, Inc.	Attorney Service	120.00
1/10/2020	Sacramento Superior Court	Document Download Fee	2.00
1/24/2020	Legal Document Server, Inc.	Attorney Service	130.00
2/18/2020	Labor & Workforce Development Agency	Filing Fee	75.00
3/12/2020	Legal Document Server, Inc.	Attorney Service	120.00
5/14/2020	Legal Document Server, Inc.	Attorney Service	120.00
5/14/2020	Sacramento Superior Court	Filing Fee	20.00
5/28/2020	CourtCall, LLC	Attorney Service	94.00
7/16/2020	Legal Document Server, Inc.	Attorney Service	120.00
8/18/2020	Legal Document Server, Inc.	Attorney Service	120.00
10/27/2020	Legal Document Server, Inc.	Attorney Service	171.85
10/27/2020	Sacramento Superior Court	Filing Fee	60.00
12/4/2020	Sacramento Superior Court	Document Download Fee	9.80
12/7/2020	Legal Document Server, Inc.	Attorney Service	130.00
12/28/2020	Legal Document Server, Inc.	Attorney Service	130.70
12/28/2020	Sacramento Superior Court	Filing Fee	20.00
1/7/2021	Legal Document Server, Inc.	Attorney Service	120.00
Total:			10,964.10