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Attorneys for Plaintiffs, JESSICA GARCIA,
and JOSE HERNANDEZ SOLIS, individually, and on behalf of
other individuals similarly situated

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO**

JESSICA GARCIA, RUDY JIMENEZ,
individually and on behalf of other individuals
similarly situated,

Plaintiffs,

vs.

THE MERCHANT OF TENNIS, INC., a
California Corporation, dba U.S. Merchants, and
DOES 1 through 100,

Defendants.

Case No.: CIVDS2005614

*[Assigned for all purposes to the Honorable
Joseph Widman, Dept S36-SBJC]*

**DECLARATION OF MARCUS J. BRADLEY IN
SUPPORT OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: April 23, 2026
Time: 9:00 a.m.
Dept.: S36-SBJC

Complaint Filed: February 26, 2020
Trial Date: None Set

1 I, Marcus J. Bradley, declare:

2 1. I am a partner at Bradley/Grombacher, LLP, counsel of record for Plaintiff Jessica Garcia
3 (“Plaintiff” or “Garcia”) in the above-captioned matter against Defendant The Merchant of Tennis, Inc.,
4 a California Corporation, dba U.S. Merchants (“Defendant” or “MOT”), and I am an attorney assigned
5 to work on this case. Based on my assignment to this case and familiarity with the file and action in this
6 matter, I have personal knowledge of the matters stated herein and if called and sworn as a witness, I
7 would and could competently testify under oath thereto. I am a member in good standing of all State
8 Courts and the Federal Central District Court of California.

9 2. I am submitting this Declaration in support of Plaintiffs’ Motion for Preliminary
10 Approval of Class Action Settlement.

11 **EXPERIENCE OF CLASS COUNSEL**

12 *Marcus J. Bradley, Esq.*

13 3. I personally have represented plaintiffs in consumer and employment class actions since I
14 began practicing law in 1994. In 2000, I joined Mazursky, Schwartz & Angelo as an associate and
15 became a partner in January 2005 at which time the firm was renamed Schwartz, Daniels & Bradley. I
16 remained as a partner handling primarily wage and hour class actions until the dissolution of the firm
17 effective December 31, 2008. In January 2009, I moved my existing practice transferring a number of
18 wage and hour cases to become a partner with the law firm of Marlin & Saltzman, a long-established
19 firm with whom I had been co-counsel on dozens of wage and hour class actions during my tenure at
20 Schwartz, Daniels & Bradley. On September 1, 2016, I formed Bradley/Grombacher LLP along with a
21 former associate at Marlin & Saltzman, Kiley Grombacher.

22 4. I have been responsible for all facets of class action employment and other complex
23 litigation, from pre-filing investigation through trial and appeal. Since approximately May 2000, I have
24 spent most of my time representing workers in wage and hour matters. I, along with my current and
25 former partners, have litigated these issues in class actions to favorable settlements that have recouped
26 over \$800,000,000 in unpaid wages, including the following more notable cases:

- 27 a. *Gutierrez v. State Farm Mutual*, Los Angeles Superior Court (BC236552). Class action
28 mis-classification case seeking overtime compensation for approximately 2,600 insurance

claims adjusters employed by State Farm. The class was certified, and summary adjudication was granted as to liability in favor of the class. The case settled for \$135 million just prior to trial, with final approval granted with no objections filed.

b. *Bednar v. Allstate Insurance Company*, Los Angeles Superior Court (BC240813). Class action mis-classification case seeking overtime compensation for approximately 1,200 insurance claims adjusters employed by Allstate. The class was certified, and summary adjudication was granted as to liability in favor of the class. The case settled for \$120 million just prior to trial, with final approval granted with no objections filed.

c. *Roberts v. Coast National Insurance*, Orange County Superior Court (01CC08478). Class action mis-classification case seeking overtime compensation for insurance claims adjusters employed by Coast National Insurance. Certification granted, and then the matter was tried before a binding arbitrator. The case settled during the arbitration for an excess of \$18 million

d. *CNA Class Action Litigation*, Los Angeles Superior Court Class (JCCP 4230). Class action mis-classification case seeking overtime compensation for insurance claims adjusters employed by Defendant. Case settled for \$33 million, with final approval granted with no objections filed.

e. *Dotson v. Royal SunAlliance*, Orange County Superior Court (02CC01787). Class action mis-classification case seeking overtime compensation for insurance claims adjusters employed by Royal SunAlliance. Case settled for \$12.3 million, with final approval granted with no objections filed.

f. *Parris v. Lowe's Home Improvement*, Los Angeles County Superior Court (BC260702). Class action seeking payment of "off-the-clock" hours worked by all hourly employees of Lowe's Home Improvement stores in the State of California. The class was certified by the Court of Appeal and remanded to the trial court for further proceedings. Shortly thereafter, a \$29.5 million settlement was reached and approved without objection.

g. *Pardo v. Toyota Motor Sales, et al.*, Los Angeles County Superior Court (BC372781). Class action misclassification of workers with claims for overtime and missed meal and

rest breaks. The case settled for \$7.75 million and was approved with no objections.

- h. *Smith/Ballard v. Wal-Mart Stores, Inc.*, United States District Court for the Northern District of California (Case No. 4:06-cv-05411-SBA). Wage and hour class action seeking unpaid vacation and personal time, unpaid wages, and related penalties on behalf of over 245,000 employees. The action was certified and settled for \$86 million while Defendant's appeal of the certification was pending in the Ninth Circuit Court of Appeals.
- i. *Hoyng v. AON*, Los Angeles County Superior Court (BC377184). Wage and hour class action seeking overtime and related compensation for misclassification on behalf of Relationship and Account Specialists. The case settled for \$10.5 million which was approved with no objections filed.
- j. *In RE Bank of America Wage and Hour Employment Practices Litigation*, MDL 2138, United States District Court for the District of Kansas. California state and FLSA wage and hour litigation for various violations including unpaid overtime and "off-the-clock" work. Settled for \$73 million.
- k. *Lemus v. H & R Block Litigation*, United States District Court for the Northern District of California (Case No. 3:09-cv-03179-SI) Class certified, and settlement reached prior to trial. Total settlement of \$35 million.
- l. *Harris v. Vector Marketing Corporation*, United States District Court for the Northern District of California (Case No. 3:08-cv-05198-EMC). Class action case on behalf of approximately 70,000 employees misclassified as "trainees."
- m. *Bickley v. Schneider National Trucking*, United States District Court for the Northern District of California (Case No. 4:08-cv-05806-JSW). Wage and hour class action on behalf of approximately 6,000 truck drivers. Settled for \$29.5million.
- n. *Roberts v. TJX*, United States District Court for the Northern District of California (Case No. 13-CV-04731-MEJ). Wage and hour violations on behalf of approximately 82,000 employees. Settled for \$8.5 million.
- o. *Oprychal v. New York Life Insurance*, United States District Court for the Central District

of California (Case No. 2:07-cv-00518-VBF). Class action for the failure to pay commissions pursuant to a compensation plan. Settled for \$10 million.

p. *Neuvenheim v. Gamestop Corp.*, United States District Court for the Central District of California (Case No. 2:09-cv-06799-ODW). Class action on behalf of nonexempt employees for wage and hour violations.

q. *Hightower v. JP Morgan Chase*, United States District Court for the Central District of California (Case No. 2:11-cv-01802-PSG). Class action on behalf of nonexempt employees for wage and hour violations. Settled for \$12 million.

5. On many of the above cases, I was either lead or co-lead counsel including cases in multi-district litigation or coordinated proceedings where I worked collaboratively and cooperatively with co-counsel to bring about an efficient and beneficial resolution for all class members, as the above results demonstrate.

6. I have argued cases in trial courts as well as before courts of appeal. My writings on legal topics pertaining to litigating wage and hour class and representative actions have appeared in professional publications and I have been called upon to speak at conferences and seminars for professional organizations, including a recent presentation titled “Planning for and Executing Trial in Class and Collective Wage & Hour Cases.”

7. I have also been honored as a Super Lawyer in the area of class actions by Los Angeles Magazine for multiple years including 2026. I am a member of a number of professional organizations, including the Consumer Attorneys Association of Los Angeles, the Consumer Attorneys of California, the California Employment Lawyers Association, and the American Association for Justice. I have also been named a Los Angeles Time 2025 Consumer Attorney Visionary, a Daily Journal Top Plaintiff Lawyers for 2025 and a Daily Journal Leading Commercial Litigator for 2025.

Experience of Kiley L. Grombacher, Esq.

8. My Partner, Ms. Grombacher, specializes her practice in complex litigation including consumer and employment class actions. She has litigated hundreds of employment and consumer class actions throughout her career which began at Arias, Ozzello & Gignac where she gained extensive experience litigating consumer cases.

9. Thereafter, Ms. Grombacher joined Marlin & Saltzman in 2010 where she focused her practice almost exclusively on wage and hour, collective, and representative actions, including the reported case, *Faulkinbury v. Boyd & Associates*, which clarified the holding in seminal case, *Brinker Restaurant Corp. v. Superior Court*, to establish that legality of certain company policies could be determined on a class-wide basis even if the application of the policies varies by individual.

10. Ms. Grombacher has been selected by Super Lawyers Magazine as a “Rising Star” in the field of complex litigation since 2015 and as a Super Lawyer since 2017. She has published articles on the field of class action litigation including “A Class-Action Primer” which appeared in *The Advocate*, which is the Journal of Consumer Attorneys of Southern California.

11. Ms. Grombacher has also lectured on various topics involving complex case management and recently spoke at the Beverly Hills Bar Association's Class Action and Complex Case Management Conference. She is also a member of a number of professional organizations, including the Consumer Attorneys of Los Angeles and the American Association for Justice.

CONCLUSION

12. Based on our many years of experience in this area of class action law and litigation, and the review of the case materials, case status and all related settlement evaluation factors for this matter, all as more fully discussed in the accompanying declarations of Plaintiff, it is my opinion that the settlement pending before this Court is fair, reasonable and adequate, and merits the approval of this Court.

I declare under penalty of perjury and the laws of the State of California that the foregoing is true and correct. Executed this 4th day of March, 2026, in Westlake Village, California.

Marcus Bradley
 Marcus J. Bradley, Esq.