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Attorneys for Plaintiffs BENIYAM KEBEDE, ALAIN TSAI,
and MONICA I. PAZMINO, individually and on behalf of
all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

BENIYAM KEBEDE, ALAIN TSAI, and
MONICA I. PAZMINO, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

WRIKE, INC.; and DOES 1 through 25,
inclusive

Defendants.

Case No. 20CV366599

ASSIGNED FOR ALL PURPOSES TO:

The Honorable Patricia M. Lucas
Department 3

CLASS ACTION

**DECLARATION OF JONATHAN M. LEBE
IN SUPPORT OF MOTION FOR AN
ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: December 1, 2021

Time: 1:30 p.m.

Dept: 3

Judge: Hon. Patricia M. Lucas

Complaint filed: May 13, 2020

Trial date: Not set

DECLARATION OF JONATHAN M. LEBE

I, Jonathan M. Lebe, declare as follows:

1. I am an attorney duly licensed to practice law before all courts in the State of California. I am the Managing Attorney of Lebe Law, A Professional Law Corporation and I represent Plaintiffs Beniyam Kebede, Alain Tsai, and Monica I. Pazmino in this action. I have personal knowledge of the facts set forth herein and, if called and sworn in as a witness, could and would testify competently thereto.

2. I submit this declaration in support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement.

3. I received Bachelor of Arts degrees in Political Science and International Studies from Northwestern University in 2008. I received my Juris Doctorate from Santa Clara University School of Law in 2012. During law school, I was a legal extern to the Honorable Nandor J. Vadas of the U.S. District Court, Northern District of California. I also had legal internships during law school with the Civil Division of the U.S. Attorney's Office and the Complex Litigation Division of the San Francisco City Attorney's Office.

4. I was admitted to the California State Bar in the fall of 2012. I am admitted to practice in all state courts in California and in all United States District Courts in California.

5. Upon admission to the bar, I became a Deputy County Counsel in the Litigation Section of the Santa Clara County Counsel's office. The Santa Clara County Counsel's office is one of the largest and most sophisticated offices of government lawyers in the county. The County Counsel's office engages in significant impact litigation and, of course, is responsible for the legal representation of the County. In my capacity as Deputy County Counsel, I litigated cases ranging from employment disputes to constitutional challenges to County jail policies. Before starting my own firm, I also worked as an associate attorney with Lawyers for Justice, P.C., a class action law firm in California. In that capacity, I was responsible for the day-to-day management of numerous wage and hour class actions at a given time.

6. I started my own law firm in 2016. The vast majority of my practice consists of litigating wage and hour class actions filed in California. In 2018, 2019, 2020, and 2021, I was

1 selected as a Super Lawyer Rising Star based on nominations from my peers, a distinction only
2 received by 2.5% of attorneys. Some of our firm's representative matters include:

- 3 a. *Midwest Motor Supply Co. v. Superior Court* (2020) 56 Cal.App.5th 702: In its
4 published opinion, the Court of Appeal affirmed the trial court's denial of Defendant's
5 motion to dismiss or stay action for forum non conveniens because Defendant's
6 purported forum selection clause was unenforceable under Labor Code section 925.
- 7 b. *Zakaryan v. The Men's Wearhouse, Inc.* (2019) 33 Cal.App.5th 659: In its
8 published opinion, Court of Appeal affirmed a trial court's denial of Defendant's
9 motion to compel arbitration (disapproved on another ground in *ZB, N.A. v. Superior*
10 *Court* (2019) 8 Cal.5th 175).
- 11 c. *Ortega v. Carson Wild Wings, LLC* (Los Angeles Superior Court, Case No.
12 BC677388): In this matter, our firm obtained a unanimous jury verdict holding our
13 client's former employer responsible for wrongful termination and retaliation. In its
14 verdict, the jury awarded our client \$300,000 in lost earnings, emotional distress
15 damages, punitive damages and penalties. The Court also awarded \$291,948 in
16 attorneys' fees. This matter is currently on appeal.

17 7. I have been appointed certified Class Counsel in the following proceedings in
18 connection with approvals of wage and hour class action and Private Attorney General Act
19 settlements: *Amie Pfiefer v. Zesty Inc.*, San Francisco Superior Court, CGC-19-574570; *Anthony*
20 *Dirico, et al. v. Seek Capital, LLC*, Los Angeles Superior Court Case No. BC698076; *Brandon*
21 *Centino v. Arrowhead Products, Orange County Superior Court*, Case No. 30-2018-00988493;
22 *Donna Burris v. Resort Vacations, Inc.*, Orange County Superior Court, Case No. 2018-00997260;
23 *Elizabeth Merritt v. Houzz Inc.*, Santa Clara Superior Court, Case No. 19CV341181; *Janet*
24 *Manteon v. M.A.C. Cosmetics, Inc.*, Los Angeles County Superior Court, Case No. BC702940;
25 *Jamal Holcomb v. Weiser Security Services, Inc.*, Los Angeles Superior Court, Case No.
26 19STCV03843; *Jerome Hughes, et al. v. Surveillance Security, Inc.*, Judicial Coordination
27 Proceeding Case No. 4969; *Jihwan Kim v. Demandforce, Inc.*, San Francisco Superior Court, Case
28 No. CGC-18-570997; *Jordan Olson v. Medtronic, Inc., et al.*, San Francisco Superior Court, Case

No. CGC-19-576875; *Joseph Jun Caballero v. MLTD, Inc.*, Los Angeles Superior Court Case No. BC659936; *Kendall Klette v. Balboa Capital Corporation*, Orange County Superior Court, Case No. 30-2018-00970552; *Kevin Klein v. Loomis Armored, US LLC*, San Bernardino Superior Court Case No. CIVDS1704547; *Leslie Walling v. National Funding Inc.*, San Diego Superior Court, Case No. 201800061889; *Lorena Sanchez v. Valley Presbyterian Hospital*, Los Angeles Superior Court Case No. BC678638; *Lucas Cardena v. Strata Capital Corporation*, Orange County Superior Court, Case No. 30-2018-01041233-CU-OE-CXC; *Michael Schmitz, et al. v. HealthIQ Re Inc.*, Santa Clara Superior Court, Case No. 18CV337951; *Patricia Martinez v. Whaler LLC*, Los Angeles Superior Court Case No. BC621047; *Rhett Hubbard v. Caliber Home Loans, Inc.*, Orange County Superior Court, 30-2018-01017838; *Shameka Watson v. Aegis Security & Investigations Inc.*, Los Angeles Superior Court Case No. BC695411; *Shayna Amster v. Starbucks Corporation*, San Bernardino Superior Court, Case No. CIVDS1922016; *Suzana Mederos v. Consolidated Disposal Service, L.L.C.*, Los Angeles Superior Court, Case No. BC677379; and *Tyler Jones, et al. v. Citiguard, Inc.*, Los Angeles County Superior Court Case Number BC664890; *Don Vasquez v. Milk Specialties Company*, Tulare County Superior Court Case Number VCU282778.

8. Zachary Gershman is an associate attorney of Lebe Law, APLC in good standing of the State Bar of California and admitted to practice in all state courts in California, and in the Northern, Central, and Southern United States District Courts in California.

9. Mr. Gershman began working for Lebe Law, APLC in August of 2019 as a law clerk after graduating from the USC Gould School of Law in May of 2019, where he was an Executive Senior Editor of the Southern California Law Review. He received his Bachelor of Arts degree in Political Science from the University of Connecticut in 2015. He was admitted to the California State Bar on December 2, 2019.

10. I consider myself experienced and qualified to evaluate the class claims and viability of the defenses. Based on the history of the above-captioned case, and given my experience and analysis, it is my view that the settlement is fair, reasonable, and adequate, and in the best interest of the class members. Had the litigation not reached the proposed settlement set

1 forth in the Settlement Agreement, I, along with my co-counsel, would have continued to
2 prosecute the class' claims through certification, trial and beyond.

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4 I declare under penalty of perjury under the laws of the State of California that the
5 foregoing is true and correct. Executed on October 6, 2021 in the City of Los Angeles in the State
6 of California.

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10 JONATHAN M. LEBE
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