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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

EARL URIZAR, 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,

v.

INLAND KENWORTH US INC., an
unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No.: 20STCV30676

Honorable Kenneth R. Freeman
Department SSC14

CLASS ACTION

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

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees, Costs, and Enhancement
Payment; Declaration of Class Representative
(Earl Urizar); Declaration of Settlement
Administrator (Jarrod Salinas); and [Proposed]
Final Approval Order and Judgment filed
concurrently herein]

Date: March 29, 2022
Time: 11:00 a.m.
Department: SSC14

Complaint Filed: August 12, 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 Earl Urizar (“Plaintiff”) and the 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 October 14, 2021, in Department SSC14 of the above-entitled Court, the Honorable Kenneth R. Freeman preliminarily approved the First Amended Stipulation of Class and PAGA Stipulation (“Settlement,” “Agreement,” or “Settlement Agreement”) entered into between Plaintiff and Defendant Inland Kenworth US Inc. (“Defendant”), and conditionally certified the Class for settlement purposes. The Court preliminarily appointed Plaintiff Earl Urizar 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 Class Action Settlement (“Notice”), adopted the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed Phoenix Settlement Administrators (“Phoenix”) 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 Payment, 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 August 12, 2020, as have several other attorneys and members in our firm.

5. Lawyers *for* Justice, PC has actively participated in all phases of the litigation

process. Before initiating the action, Class Counsel investigated and researched the facts and circumstances underlying the pertinent factual and legal issues and applicable law. This required thorough discussions and interviews between attorneys at our firm and Plaintiff, and research into the various legal issues involved in the case, namely, the current state of the law as it applied to certification, off-the-clock theory, meal and rest periods, wage-and-hour enforcement, representative PAGA claims, the claims of Plaintiff, and potential defenses. After conducting initial investigation, our firm determined that the claims of Plaintiff were well-suited for class-wide adjudication owing to what appeared to be a common course of conduct affecting a similarly situated group of current and former hourly-paid, non-exempt employees who worked for Defendant, who were not properly compensated for, *inter alia*, all hours worked, and non-compliant meal and rest periods.

6. Prior to reaching the Settlement, the parties used the pre-mediation time period to investigate the veracity, strength, and scope of the claims, and also to prepare the matter for class certification, representative adjudication, and trial. The parties conducted significant informal discovery and investigation into the facts of the case, and also informally exchanged information and data in preparation for mediation. Class Class Counsel also interviewed and obtained information from Plaintiff and other Class Members, including and not limited to the names of potential witnesses, and reviewed and analyzed thousands of pages of documents and data produced by Defendant and obtained through other sources. The documents and data reviewed and analyzed by Class Counsel included, and were not limited to, Plaintiff and other Class Members' employment records, a detailed sampling of Class Members' time and pay data, Defendant's California Employee Handbook, internal memoranda, checklists (including but not limited to California New Hire Check Off List and Pre-Hire Check Off List), Defendant's operations and employment practices, forms (including but not limited to Defendant's Inland Employee Orientation Form, The Inland Group Confidentiality Agreement, Inland Email and Internet Usage Policy, and Employee Statement acknowledgment form), procedures (including but not limited to Defendant's Timeclock Meal Out/Meal Return Punch Instructions, Meal Break Waiver Agreement, Overtime, Time Cards, and Time Sheets), and policies (including but not

1 limited to Inland Kenworth US, Inc. Meal and Rest Period Policy, Tool and/or Safety Shoe
2 Allowance, and Dress Code), among other documents and data. Class Counsel researched
3 applicable law, developed damages/valuation models in preparation for mediation, and met and
4 conferred with Defendant's counsel on numerous occasions, e.g., to discuss issues relating to the,
5 case management, discovery, and production of various documents and data prior to mediation.
6 Other work performed by Class Counsel included, and was not limited to, case strategy and
7 analysis; drafting, reviewing, and revising pleadings and mediation brief; preparing and
8 appearing for court proceedings; and preparing for and attending mediation and settlement
9 negotiations.

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

19 8. After conducting significant investigation of the facts and law during the
20 prosecution of the case, counsel for the parties engaged in extensive settlement negotiations to
21 try to resolve the entire matter. These efforts included participating in a formal, full-day
22 mediation conducted on December 1, 2020, by Jeffrey Krivis, Esq., a well-regarded mediator
23 experienced in mediating complex labor and employment matters. During all settlement
24 discussions, the parties conducted their negotiations at arm's length in an adversarial position.
25 Prior to and during mediation, the parties exchanged information and data, and discussed all
26 aspects of the case, including the risks and delays of further litigation, the risks to the parties of
27 proceeding with class certification and trial, the law relating to off-the-clock theory, meal and
28 rest periods, representative PAGA claims, and wage-and-hour enforcement, the evidence

1 produced and analyzed, and the possibility of appeals, among other things. Arriving at a
2 settlement that was acceptable to the parties was not easy. Defendant also contended that
3 individualized questions of fact predominate over any common issues, and these issues would
4 pose challenges to certification and representative adjudication. Defendant and its counsel felt
5 very strongly about Defendant's ability to prevail on the merits and to obtain a denial of class
6 certification, while Plaintiff and Class Counsel believed that class certification would be
7 obtained and that they would prevail at trial. With the aid of the mediator's evaluation, the
8 parties agreed that the case was well-suited for settlement given the legal issues relating to
9 Plaintiff's principal claims, as well as the costs and risks to the parties that would attend further
10 litigation. These risks of further litigation include, and are not limited to, a determination that
11 the claims are unsuitable for class treatment and/or representative adjudication, failure to obtain
12 certification, class de-certification after certification of a class, allowing a jury to decide the
13 claims asserted in the case, and the real possibility of no recovery after years of litigation.

14 9. As set forth more fully in the accompanying Motion for Final Approval, Class
15 Counsel seeks attorneys' fees in the amount of \$595,000.00, which is thirty-five percent (35%)
16 of the Total Settlement Amount of \$1,700,000.00, as set forth in the Settlement Agreement and
17 the Notice. Pursuant to the contingency-fee agreement entered into by and between Plaintiff and
18 Class Counsel, Plaintiff has agreed to a contingency fee of at least thirty-five percent (35%) of
19 the recovery. The attorneys' fees sought are commensurate with: (1) the risk that Class Counsel
20 took in commencing the case; (2) the time, effort, and expense that Class Counsel dedicated to
21 the case; (3) the skill and determination that Class Counsel has shown; (4) the results that Class
22 Counsel has achieved throughout the litigation; (5) the value of the settlement that Class Counsel
23 has achieved for the Class Members; and (6) the other cases that Class Counsel has turned down
24 in order to devote its time and efforts to this matter.

25 10. I am aware that the common and acceptable rate for contingency representation in
26 wage and hour class action litigation is normally 40% before trial, with the range being from
27 33.3% up to 50%.

28 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 case such that the award of attorneys' fees is also justified under a simple lodestar analysis with a multiplier of 1.56. Class Counsel has spent a total of **567.30 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 \$675 for work performed by Class Counsel. Lawyers for Justice, PC has been awarded attorneys' fees, compensating the firm at the rate of at least \$675 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; *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; 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*.

16. At *Girardi & Keese*, my practice focused on class actions and other complex cases involving toxic torts and products liability. In addition, I gained substantial experience on cases involving insurance bad faith, premises liability, and medical negligence. While employed

1 by *Girardi & Keese*, I argued approximately 100 motions, took or defended approximately 150
2 depositions, and prepared dozens of expert witnesses for deposition or trial.

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

12 ***EXAMPLES OF CLASS ACTION RESULTS***

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

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

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

25 c) Our firm, in association with co-counsel, represented the plaintiffs in a
26 wage-and-hour class and representative action against a national property management company
27 involving allegations of misclassification of the “Property Manager” position. On May 23, 2012,
28 the court granted final approval of the class and representative action settlement. The Los

Angeles County Superior Court Case Number is BC430918.

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

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

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

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

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

i) Our firm, in association with co-counsel, represented the plaintiffs in a wage-and-hour class action involving allegations of misclassification of the salaried residential

1 “Property Manager” position. On September 17, 2015, the court granted plaintiffs’ motion for
2 class certification. The Los Angeles County Superior Court Case Number is BC474784.

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

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

13 l) Our firm, in association with co-counsel, represented the plaintiffs in a
14 wage-and-hour class action against a national retailer of apparel, accessories, and home products,
15 involving allegations of misclassification of the “Department Manager” position. On August 12,
16 2016, the court granted plaintiffs’ motion for class certification in part and certified a class. The
17 Alameda County Superior Court Case Number is RG13680477.

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

23 n) Our firm, in association with co-counsel, represented the plaintiffs in a
24 wage-and-hour class action against a full-service bank, on behalf of non-exempt employees. On
25 November 18, 2016, the court granted final approval of the class action settlement. The San
26 Francisco County Superior Court Case Number is CJC-13-004839.

27 o) Our firm represented the plaintiffs in a wage-and-hour class and
28 representative action against a foodservice distributor, on behalf of non-exempt employees. On

1 January 26, 2017, the court granted final approval of the class and representative action
2 settlement. The San Bernardino County Superior Court Case Number is CIVDS1507260.

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

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

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

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

23 t) Our firm represented the plaintiffs in a wage-and-hour class action and
24 representative action against a food company on behalf of non-exempt employees. On June 30,
25 2017, the court granted final approval of the class and representative action settlement. The
26 Sacramento County Superior Court Case Number is 34-2015-00175871.

27 u) Our firm represented the plaintiffs in a wage-and-hour class action and
28 representative action against a chocolate company on behalf of non-exempt employees. On July

1 19, 2017, the court granted final approval of the class and representative action settlement. The
2 Alameda County Superior Court Case Number is RG15764300.

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

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

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

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

21 z) Our firm represented the plaintiffs in a wage-and-hour class and
22 representative action against a behavioral health service provider on behalf of non-exempt
23 employees. On November 13, 2018, the court granted final approval of the class and
24 representative action settlement. The Alameda County Superior Court Case Number is
25 RG16811450.

26 aa) Our firm, in association with co-counsel, represented the plaintiff in a
27 representative action under the Private Attorneys General Act, against a global provider of
28 products and services to the energy industry, on behalf of hourly-paid and non-exempt

employees. On November 19, 2018, the Court granted approval of the settlement. The Kern County Superior Court Case Number is S-1500-CV-280215-SDC.

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

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

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

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

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

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

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

11 ii) Our firm represented the plaintiffs in a wage-and-hour class and PAGA
12 representative action against a plastic packaging company on behalf of non-exempt employees.
13 On June 8, 2020, the court granted in part the plaintiffs' motion for class certification and
14 certified a class. The San Bernardino County Superior Court Case Number is CIVDS1507361.

15 jj) Our firm, in association with co-counsel, represented the plaintiffs in a wage-and-
16 hour class action against manufacturer and supplier of power products and services on behalf of
17 non-exempt employees. On July 31, 2020, the court granted in part the plaintiffs' motion for
18 class certification and certified a class. The San Diego County Superior Court Case Number is
19 37-2015-00025968-CU-OE-CTL.

20 kk) Our firm represents the plaintiff in a wage-and-hour class action against a
21 nutritional products manufacturer on behalf of non-exempt production line employees. On
22 December 13, 2021, the court granted the plaintiff's motion for class certification in part and
23 certified a class. The Solano County Superior Court Case Number is FCS051001.

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

25 19. To date, Class Counsel has borne all the risks and costs of litigation and will not
26 receive any compensation until recovery is obtained by Plaintiff and the Class Members.
27 Lawyers for Justice, PC has incurred **\$20,881.25** in litigation costs and expenses as reflected in
28 **"EXHIBIT B"** attached hereto. These expenses were reasonable and necessary in the

prosecution of this matter and to obtain the Settlement. It should be noted that Class Counsel has borne all of the risks and costs of litigation and will not receive any compensation until recovery is obtained under the Settlement.

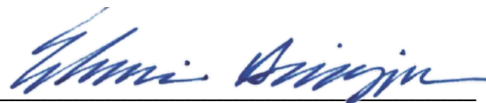
ENHANCEMENT PAYMENT TO PLAINTIFF

20. In recognition of his efforts and work serving as the Class Representative, the Settlement provides for an Enhancement Payment in the amount of \$7,500.00 to Plaintiff Earl Urizar to compensate Plaintiff for the time and effort that he expended on behalf of the Class. The requested Enhancement Payment is fair and appropriate. Plaintiff spent a substantial amount of time and effort in producing relevant documents and past employment records and provided the facts and evidence necessary to attempt to prove the allegations. Plaintiff was available whenever Class Counsel needed him and actively tried to obtain information that would benefit the Class. Plaintiff spent numerous hours speaking with Class Counsel about his claims, describing his work experience with Defendant, and gathering and reviewing documents. Accordingly, it is appropriate for Plaintiff Earl Urizar to receive \$7,500.00 as a reasonable Enhancement Payment, in addition to his Individual Settlement Payment and Individual PAGA Payment, for his services on behalf of the Class.

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

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

Executed this 28th day of February 2022, at Glendale, California.



Edwin Aiwasian

EXHIBIT A

URIZAR V. INLAND KENWORTH US INC.
(LOS ANGELES COUNTY SUPERIOR COURT CASE NO. 20STCV30676)
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	15.50
Pre-Lawsuit Investigation of the Merits of Plaintiff Earl Urizar’s (“Plaintiff”) Claims and the Merits of the Claims of the Putative Class Members	13.60
Pre-Lawsuit Investigation of Potential Damages Exposure of Defendant Inland Kenworth US, Inc. (“Defendant”) with Respect to the Damages Sustained by Plaintiff and the Putative Class Members	12.10
Pre-Lawsuit Investigation of Potential Civil Penalties Exposure of Defendant with Respect to Plaintiff, State of California, and Aggrieved Employees	10.50
Pre-Lawsuit Legal Research and Analysis of Latest Off-the-Clock, Meal and Rest Break, Representative PAGA, and Certification Decisions in California, Including all Relevant and New Guidance and DLSE Materials	15.80
Investigation of Defendant, Defendant’s Business Relationships, and the Industry in which Defendant Operates	8.40
Investigation of Defendant’s Organizational, Corporate, and Executive Reporting Structures as They Relate to the Employment and Management of the Putative Class Members	6.30

Investigation of Defendant's Executives, Officers, and Leadership with a Focus on Involvement in Wage-and-Hour Issues and Establishing Willfulness and Uniformity	7.60
Analysis of Competitors in Various Relevant Geographic Areas within which Defendant Operates, and Comparing and Contrasting Defendant's Policies, Practices, and Procedures with the Policies, Practices, and Procedures of Defendant's Competitors	5.70
Research and Investigation Re: Location(s), Division(s), and/or Department(s) Owned, Managed, Serviced, or Operated by Defendant in California During the Class Period, Including Differences Between the Various Location(s), Division(s), and/or Department(s) to Determine Whether Those Differences Will Cause Individual Issues to Predominate Over Common Issues	8.80
Comparative Analysis and Cross-Checking of All Available Job Postings and Job Reviews Regarding Defendant 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	8.20
Research and Investigation of Impact of COVID-19 Pandemic on Defendant, Its Operations, and Putative Class Members' Work	5.90
Research and Investigation Re: Staffing Models and Staffing Levels at Locations Where Putative Class Members Worked Throughout California	7.10
Research and Investigation Re: Defendant's Written and Unwritten Policies, Practices, and Procedures Relating to Operating Hours, Briefings, Sales, Maintenance, Leasing, Work Orders, Bonuses/Incentive/Shift Differential Pay, Timekeeping, Bell System, Scheduling, Meal/Rest Breaks, Meal Premiums, On Premises Rest Breaks, Overtime Compensation, Safety, Securing Facilities, Uniform/Dress Code, Personal Cell Phone Use, Footwear, Tools/Equipment, Expense Allowance, Reimbursement of Business-Related Expenses, Confidentiality, and Wage and Hour Compliance	48.20
Research and Investigation Re: Various Software Programs, Applications, and Other Technology and Systems Defendant Uses to Conduct Its Everyday Business, Including Timekeeping, Inventory, CRM, Sales, and Project Management Systems, with a Focus on What Documents (Both Paper and Electronic)	7.50

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	
Research and Analysis of Potential Defenses Defendant May Raise, Including <i>De Minimis</i> Work, Non-Compensable Off-the-Clock Work, Waiver, and Compliant Policies	8.30
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	7.70
Research and Analysis of Defendant's Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues and Complaints in Court and/or Other Forums (e.g., Administrative Agencies)	6.50
Prepare a Discovery Strategy Plan of Action, Including Topics of Inquiry Important to Certification, Liability, and Damages/Civil Penalties	14.20
Meet and Communicate with Plaintiff Earl Urizar Throughout the Pendency of the Case	36.90
Meet and Communicate with Putative Class Members	30.50
Pleadings and Court Filings	
Research and Draft Plaintiff's Class Action Complaint for Damages & Enforcement Under the Private Attorneys General Act, California Labor Code Section 2698, Et Seq. and Legal Research and Analysis of All Claims Involved (filed on August 12, 2020)	9.10
Review Court's Notice of Case Assignment (filed on August 12, 2020)	0.10
Review Court's Initial Status Conference Order and Minute Order (filed on September 1, 2020)	0.30
Review Defendant's Notice of Appearance (served on October 16, 2020)	0.10

Meet and Confer with Defendant's Counsel, and Draft Joint Stipulation to Continue Initial Status Conference; [Proposed] Order (submitted on November 13, 2020)	1.50
Review Court's Order Granting Joint Stipulation to Continue Initial Status Conference (filed on December 1, 2020)	0.10
Draft Plaintiff's Notice of Entry of Judgment or Order (filed on December 9, 2020)	0.20
Draft Plaintiff's Notice of Posting Jury Fees (filed on December 11, 2020)	0.30
Meet and Confer with Defendant's Counsel, and Draft Joint Notice of Class Action Settlement (submitted on December 24, 2020)	1.40
Review Defendant's Notice of Change of Firm Name (filed on January 6, 2021)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Stipulation to Vacate Initial Status Conference and Set Conference re: Motion for Preliminary Approval (submitted on January 11, 2021)	1.50
Review Court Order Granting Joint Stipulation to Vacate Initial Status Conference and Set Conference re: Motion for Preliminary Approval (filed on January 14, 2021)	0.10
Meet and Confer with Defendant's Counsel, and Draft Non-Appeal Case Review Report (submitted on March 11, 2021)	0.80
Appearances	
Prepare for Hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (September 14, 2021)	0.70
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Final Approval of Class Action Settlement, Attorneys' Fees, Costs, and Service Award (March 29, 2022) (Anticipated)	2.50

Discovery and Deposition	
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Earl Urizar (served on February 14, 2020)	1.90
Review and Analyze Documents Produced by Defendant in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Earl Urizar (served on February 27, 2020)	5.20
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Putative Class Member (served on November 12, 2020)	1.90
Review and Analyze Documents Produced by Defendant in Response to the Request for Personnel File, Pay Stubs, and Time Records for Putative Class Member (served on December 3, 2020)	7.80
Letters and Correspondence	
Draft Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Earl Urizar for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on May 29, 2020)	4.60
Meet with, Draft Correspondence to, and Respond to Correspondence from, Defendant's Counsel	25.30
Mediation/Settlement	
Review and Analyze Mediation Data and Documents Produced by Defendant (served on November 2, 2020, November 11, 2020, and November 16, 2020) • Employee Handbooks and Policies • Sampling of Employee Timecard Reports • Sampling of Payroll Reports	59.80
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	30.50

Damages and Penalties Analysis/Calculations, and Conferring with Expert (submitted on November 25, 2020)	
Telephonically Attend Mediation Session (December 1, 2020; Zoom Video Conference)	9.50
Review and Consider Mediator's Proposal and Communicate with Mediator (issued December 1, 2020)	2.50
Draft, Review, Revise, Negotiate, and Finalize Class Action and PAGA Settlement Agreement (executed on January 28, 2021) and Draft Exhibit	24.10
Draft, Review, Revise, Negotiate, and Finalize First Amended Class Action and PAGA Settlement Agreement (executed on August 19, 2021) and Draft Exhibit	8.90
Coordinate Settlement Administration with Settlement Administrator, Ongoing Monitoring of Settlement Administration, and Responding to Class Inquiries	6.50
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 Earl Urizar in Support Thereof, and [Proposed] Order Thereon (filed on April 2, 2021)	28.40
Review and Analyze Court's Order re: Checklist for Preliminary Approval of Class Action Settlement and Meet and Confer with Defendant's Counsel Regarding the Order (filed on April 28, 2021)	2.60
Meet and Confer with Defendant's Counsel, and Draft Joint Stipulation to Continue Deadline for Supplemental Briefing in Support of Plaintiff's Motion for Preliminary Approval; [Proposed] Order Thereon (submitted on August 13, 2021)	1.10
Review Court's Order Granting Joint Stipulation to Continue Deadline for Supplemental Briefing in Support of Plaintiff's Motion for Preliminary Approval (filed on August 17, 2021)	0.10

Draft Plaintiff's Supplemental Brief in Support of Motion for Preliminary Approval of Class Action Settlement, Supplemental Declaration of Edwin Aiwasian in Support Thereof, Supplemental Declaration of Earl Urizar in Support Thereof, and [Revised Proposed] Order Thereon (filed on August 20, 2021)	15.90
Review Court's Minute Order re: Hearing on Motion for Preliminary Approval (filed on September 14, 2021)	0.10
Draft Plaintiff's [Further Revised Proposed] Order Granting Preliminary Approval of Class Action Settlement and Meet and Confer with Defendant's Counsel (filed on October 6, 2021)	0.70
Review Court's Order Granting Preliminary Approval of Class Action Settlement (filed on October 14, 2021)	0.20
Review and Analyze Settlement Administrator's Declaration Regarding Settlement Notice Administration; and Research and Draft Plaintiff's Motion for Final Approval of Class Action Settlement, Attorneys' Fees, Costs, and Service Award, and Declaration of Edwin Aiwasian in Support Thereof, and [Proposed] Final Approval Order and Judgment (filed on February 28, 2022) (Anticipated)	25.60
Total Hours:	567.30

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL
Urizar v. Inland Kenworth US, Inc. (PAGA)

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
5/29/2020	U.S. Postmaster	Postage	45.39
5/29/2020	Labor & Workforce Development Agency	Filing Fee	75.00
8/3/2020	Legal Document Server, Inc.	Attorney Service	160.23
8/3/2020	Los Angeles Superior Court	Filing Fee	435.00
8/3/2020	Los Angeles Superior Court	Complex Fee	1,000.00
9/3/2020	Legal Document Server, Inc.	Attorney Service	110.00
10/2/2020	General Logistics Systems US, Inc.	Courier Service	17.58
10/5/2020	Legal Document Server, Inc.	Attorney Service	145.00
11/11/2020	Stats Company	Damages Consulting Expert	2,758.50
11/12/2020	U.S. Postmaster	Postage	6.95
11/13/2020	Los Angeles Superior Court	Filing Fee	20.00
11/13/2020	Legal Document Server, Inc.	Attorney Service	205.70
11/30/2020	First Mediation Corporation	Mediation Fee	7,500.00
12/1/2020	Robert A. Parris	Expert	6,600.00
12/1/2020	Arby Aiwarzian	Travel Reimbursement	75.17
12/9/2020	Legal Document Server, Inc.	Attorney Service	205.00
12/11/2020	Legal Document Server, Inc.	Attorney Service	210.25
12/11/2020	Los Angeles Superior Court	Jury Fee	150.00
12/24/2020	Legal Document Server, Inc.	Attorney Service	145.00
3/11/2021	Legal Document Server, Inc.	Attorney Service	145.00
4/2/2021	Legal Document Server, Inc.	Attorney Service	342.10
4/2/2021	Los Angeles Superior Court	Filing Fee	60.00
8/13/2021	Legal Document Server, Inc.	Attorney Service	175.70
8/13/2021	Los Angeles Superior Court	Filing Fee	20.00
8/20/2021	Legal Document Server, Inc.	Attorney Service	257.00
10/12/2021	One Legal	Attorney Service	16.68
Total:			20,881.25