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Attorneys for Plaintiff and the Class

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE

GREGORY SCHAEFER, 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.

DENSO PRODUCTS AND SERVICES
AMERICAS, INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: 19STCV00685

Honorable Elihu M. Berle
Department SSC6

CLASS ACTION

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

[Notice of Motion and Motion for Final
Approval of Class Action Settlement,
Attorneys' Fees, Costs, and Service Award;
Declaration of Class Representative (Gregory
Schaefer); Declaration of Settlement
Administrator (Atticus Administration, LLC);
and [Proposed] Final Approval Order and
Judgment filed concurrently herein]

Date: April 15, 2021
Time: 9:00 a.m.
Department: SSC6

Complaint Filed: January 10, 2019
FAC Filed: August 13, 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 Gregory Schaefer (“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 December 15, 2020, in Department SSC6 of the above-entitled Court, the Honorable Elihu M. Berle preliminarily approved the Joint Stipulation of Class Action and PAGA Settlement (“Settlement,” “Agreement,” or “Settlement Agreement”) entered into between Plaintiff and Defendant Denso Products and Services Americas, Inc. (“Defendant”), and conditionally certified the Class for settlement purposes. The Court preliminarily appointed Plaintiff Gregory Schaefer 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 (“Class Notice”), adopted the notice, opt-out, and objection procedures, and ordered their implementation. The Court appointed Atticus Administration, LLC (“Atticus”) 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 Class Counsel Award, Service 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 January 10, 2019, as have several other attorneys and members in our firm.

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1 5. Lawyers *for* Justice, PC has actively participated in all phases of the litigation
2 process. Before initiating the action, 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 case, namely, the current state of the law as it applied
6 to certification, off-the-clock theory, meal and rest periods, wage-and-hour enforcement, the
7 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 hourly-paid or non-exempt employees who worked for Defendant, who were not
11 properly 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 informal
15 discovery and investigation into the facts of the case, and also informally exchanged information
16 and data in preparation for mediation. Class Counsel interviewed and obtained information from
17 Plaintiff, including and not limited to the names of potential witnesses, and reviewed and
18 analyzed thousands of pages of documents and data produced by Defendant and obtained
19 through other sources. The documents and data reviewed and analyzed by Class Counsel
20 included, and were not limited to, employment records of Plaintiff, job descriptions, a detailed
21 sampling of Class Members' time and pay data, multiple iterations of Defendant's Associate
22 Handbook, Employee Handbook, Standard Operating Procedure (including Rest and Meal
23 Periods for Non-Exempt Associates, Wage and Salary, Overtime Pay, Associate Time Record
24 System, Mileage Reimbursement Policy, Travel Policy, and Code of Business Conduct, Dress
25 for the Day Policy), company policy acknowledgements, Employee Uniform/Shoe Safety
26 Agreement, arbitration agreement, internal memoranda, Defendant's operations and employment
27 practices, procedures, and policies, among other documents and data. Class Counsel researched
28 applicable law, developed damages/valuation models in preparation for mediation, and met and

1 conferred with Defendant's counsel on numerous occasions, e.g., to discuss issues relating to the
2 pleadings, case management, and production of various documents and data prior to mediation.
3 Other work performed by Class Counsel included, and was not limited to, case strategy and
4 analysis; drafting, reviewing, and revising pleadings and mediation brief; preparing and
5 appearing for court proceedings; and preparing for and attending mediation and settlement
6 negotiations.

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

16 8. After conducting significant investigation of the facts and law during the
17 prosecution of the case, counsel for the parties engaged in extensive settlement negotiations to
18 try to resolve the entire matter. These efforts included participating in a formal, full-day
19 mediation conducted by Louis Marlin, Esq., a well-regarded mediator experienced in mediating
20 complex labor and employment matters. During all settlement discussions, the parties conducted
21 their negotiations at arm's length in an adversarial position. Prior to and during mediation, the
22 parties exchanged information and data, and discussed all aspects of the case, including the risks
23 and delays of further litigation, the risks to the parties of proceeding with class certification and
24 trial, the law relating to off-the-clock theory, meal and rest periods, representative PAGA claims,
25 and wage-and-hour enforcement, the evidence produced and analyzed, and the possibility of
26 appeals, among other things. Arriving at a settlement that was acceptable to the parties was not
27 easy. Defendant also contended that individualized questions of fact predominate over any
28 common issues, and these issues would pose challenges to certification and representative

1 adjudication. Defendant and its counsel felt very strongly about Defendant's ability to prevail on
2 the merits and to obtain a denial of class certification, while Plaintiff and Class Counsel believed
3 that class certification would be obtained and that they would prevail at trial. With the aid of the
4 mediator's evaluation, the parties agreed that the case was well-suited for settlement given the
5 legal issues relating to Plaintiff's principal claims, as well as the costs and risks to the parties that
6 would attend further litigation. These risks of further litigation include, and are not limited to, a
7 determination that the claims are unsuitable for class treatment and/or representative
8 adjudication, failure to obtain certification, class de-certification after certification of a class,
9 allowing a jury to decide the claims asserted in the **case**, and the real possibility of no recovery
10 after years of litigation.

11 9. As set forth more fully in the accompanying Motion for Final Approval, Class
12 Counsel seeks attorneys' fees in the amount of \$612,500.00, which is thirty-five percent (35%)
13 of the Maximum Settlement Amount of \$1,750,000.00, as set forth in the Settlement Agreement
14 and the Class Notice. Pursuant to the contingency-fee agreement entered into by and between
15 Plaintiff and Class Counsel, Plaintiff has agreed to a contingency fee of at least thirty-five
16 percent (35%) of the recovery. The attorneys' fees sought are commensurate with: (1) the risk
17 that Class Counsel took in commencing the case; (2) the time, effort, and expense that Class
18 Counsel dedicated to the case; (3) the skill and determination that Class Counsel has shown; (4)
19 the results that Class Counsel has achieved throughout the litigation; (5) the value of the
20 settlement that Class Counsel has achieved for the Class Members; and (6) the other cases that
21 Class Counsel has turned down in order to devote its time and efforts to this matter.

22 10. I am aware that the common and acceptable rate for contingency representation in
23 wage and hour class action litigation is normally 40% before trial, with the range being from
24 33.3% up to 50%.

25 11. While not necessarily required to be demonstrated because the contingent fee is
26 proper for this settlement, Class Counsel has incurred many hours of work in connection with
27 prosecuting the case such that the award of attorneys' fees is also justified under a simple
28 lodestar analysis with a multiplier of 1.76. Class Counsel has spent a total of **498.65 hours**

1 performing tasks and obtaining recovery on behalf of Plaintiff and the Class Members. Attached
2 hereto as “**EXHIBIT A**” is an Attorney Task and Time and Chart that sets forth in detail the
3 nature of the legal services provided by Class Counsel and the time incurred in performing those
4 services. These hours include work done by myself and several of the firm’s other members.
5 We also had litigation support personnel actively engaged in assisting with the prosecution of
6 this matter.

7 12. The work performed in this particular matter, the background of our firm, as well
8 as the individual backgrounds, training, and experience of the attorneys who worked on this
9 matter, in litigating complex wage-and-hour matters, and in particular, employment class actions,
10 support a reasonable hourly rate of compensation at the rate of \$700 for work performed by
11 Class Counsel. Lawyers for Justice, PC has been awarded attorneys’ fees, compensating the firm
12 at the rate of at least \$700 per hour for legal services performed, by courts granting final
13 approval in other cases: final approval of the class and representative action settlement in
14 *Thereasa Carrozzella v. Basalite Concrete Products, LLC* (Sacramento County Superior Court
15 Case No. 34-2017-00220214-CU-OE-GDS) was granted on February 21, 2020, and the award of
16 attorneys’ fees involved an hourly rate of \$766.05; final approval of the class and representative
17 action settlement in *Alice Rutledge, et al. v. Healthport Technologies, LLC* (Alameda County
18 Superior Court Case No. RG16835813) was granted on June 11, 2019, and the award of
19 attorneys’ fees involved an hourly rate of \$764.82; final approval of the class and representative
20 action settlement in *Seth Swan v. Pace Supply Corp.* (Sonoma County Superior Court Case No.
21 SCV258764) was granted on February 6, 2019, and the award of attorneys’ fees involved a
22 higher hourly rate of \$855.96; final approval of the class and representative action settlement in
23 *Stanley Bland, et al. v. Telecare Corporation* (Alameda County Superior Court Case No.
24 RG16811450) was granted on November 21, 2018, and the award of attorneys’ fees involved a
25 higher hourly rate of \$831.38; final approval of the class and representative action settlement in
26 *Maryjo Ungerbuhler Anderson v. Boyett Petroleum* (Stanislaus County Superior Court Case No.
27 2020582) was granted on May 15, 2018, and the award of attorney’s fees involved a higher
28 hourly rate of \$780.77; and final approval of the class and representative action settlement in

1 *Demetrius Camarillo v. Blue Diamond Growers* (Sacramento County Superior Court Case No.
2 34-2015-00175871) was granted on June 30, 2017, and the award of attorneys' fees involved a
3 higher hourly rate of \$845.64.

4 **ADEQUACY OF LAWYERS *for* JUSTICE, PC**

5 ***EDUCATION***

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

14 ***JUDICIAL EXTERNSHIPS***

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

20 ***LITIGATION AND CLASS ACTION EXPERIENCE***

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

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

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

10 ***EXAMPLES OF CLASS ACTION RESULTS***

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

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

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

23 c) Our firm, in association with co-counsel, represented the plaintiffs in a
24 wage-and-hour class and representative action against a national property management company
25 involving allegations of misclassification of the “Property Manager” position. On May 23, 2012,
26 the court granted final approval of the class and representative action settlement. The Los
27 Angeles County Superior Court Case Number is BC430918.

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

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

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

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

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

26 i) Our firm, in association with co-counsel, represented the plaintiffs in a
27 wage-and-hour class action involving allegations of misclassification of the salaried residential
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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 **LITIGATION COSTS AND EXPENSES INCURRED BY CLASS COUNSEL**

12 19. To date, Class Counsel has borne all the risks and costs of litigation and will not
13 receive any compensation until recovery is obtained by Plaintiff and the Class Members.
14 Lawyers for Justice, PC has incurred **\$18,318.71** in litigation costs and expenses as reflected in
15 **"EXHIBIT B"** attached hereto. These expenses were reasonable and necessary in the
16 prosecution of this matter and to obtain the Settlement. It should be noted that Class Counsel has
17 borne all of the risks and costs of litigation and will not receive any compensation until recovery
18 is obtained under the Settlement.

19 **SERVICE AWARD TO PLAINTIFF**

20 20. In recognition of his efforts and work serving as the Class Representative, the
21 Settlement provides for a Service Award in the amount of \$7,500.00 to Plaintiff Gregory
22 Schaefer to compensate Plaintiff for the time and effort that he expended on behalf of the Class.
23 The requested Service Award is fair and appropriate. Plaintiff spent a substantial amount of time
24 and effort in producing relevant documents and past employment records and provided the facts
25 and evidence necessary to attempt to prove the allegations. Plaintiff was available whenever
26 Class Counsel needed him and actively tried to obtain information that would benefit the Class.
27 Plaintiff spent numerous hours speaking with Class Counsel about his claims, describing his
28 work experience with Defendant, and gathering and reviewing documents. Accordingly, it is

1 appropriate for Plaintiff Gregory Schaefer to receive \$7,500.00 as a reasonable Service Award,
2 in addition to his Individual Settlement Payment, for his services on behalf of the Class.

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

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

7 Executed this 17th day of February 2020, at Glendale, California.

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EXHIBIT A

ATTORNEY TASK AND TIME CHART
SCHAEFER V. DENSO PRODUCTS AND SERVICES AMERICAS, INC.
LOS ANGELES COUNTY SUPERIOR COURT CASE NO. 19STCV00685

TASK	LAWYERS <i>for</i> 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	18
Pre-Lawsuit Investigation of the Merits of Plaintiff Gregory Schaefer’s Claims and the Merits of the Claims of the Putative Class Members	16.25
Pre-Lawsuit Investigation of Potential Damages Exposure of Defendant Denso Products and Services Americas, Inc. (“Defendant”) with Respect to the Damages Sustained by Plaintiff and the Putative Class Members	9.75
Pre-Lawsuit Legal Research & Analysis of Latest Off-the-Clock, Meal and Rest Break Law, and Certification Decisions in California, including all New Relevant DLSE Materials	6.50
Investigation of Defendant, Defendant’s Business Relationships, and the Industry in which Defendant Operates	8.50
Investigation of Defendant’s Organizational and Corporate Structure, and Executive Reporting Structure as It Related to the Employment and Management of the Putative Class Members	4.25
Investigation of Defendant’s Executives, Officers, and Leadership with a Focus on Involvement in Wage-and-Hour Issues and Establishing Willfulness and Uniformity	3.75

Analysis of Competitors within 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	8
Research and Investigation Re: Locations Owned, Managed or Operated by Defendant in California During the Class Period, Including Differences Between the Various Locations to Determine Whether Those Differences Will Cause Individual Issues to Predominate Over Common Issues	6
Research and Investigation Re: Staffing Models and Staffing Levels at Defendant's Locations and Worked by Putative Class Members Throughout California	2.50
Comparative Analysis and Cross-Checking of All Available Job Postings by 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	9
Research and Investigation Regarding Arbitration and Analysis of Enforceability	4.75
Research and Investigation Re: Defendant's Policies, Practices, and Procedures Relating to Timekeeping, Meal/Rest Breaks, Overtime Compensation, and Reimbursement of Business-Related Expenses	14.50
Research and Investigation Re: Software Programs Defendant Uses 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 During Meal Breaks	3.75
Research and Analysis of Potential Defenses Defendant May Raise, Including De Minimis Work, Non-Compensable Off-the-Clock Work, Waiver, and Compliant Policies	4.50
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 Defendant's Litigation History Involving Wage-and-Hour Issues and Other Related Employment Issues	2.50
Prepare a Discovery Strategy Plan of Action, including Topics of Inquiry Important to Certification, Liability, and Damages	5.25
Meet and Communicate with Plaintiff Gregory Schaefer Throughout the Pendency of the Case	35
Investigate Potential Putative Class Member Witnesses and Meet and Communicate with Putative Class Members	14
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 January 10, 2019)	10.50
Review Court's Notice of Case Assignment (filed on January 10, 2019)	0.10
Review Court's Initial Status Conference Order and Minute Order (filed on January 18, 2019)	0.25
Review Defendant's Notice of Appearance of Evan R. Moses as Counsel for Defendant (served on March 7, 2019)	0.25
Meet and Confer with Defendant's Counsel, and Draft Joint Initial Status Conference Report (filed on March 13, 2019)	2.75
Review Court's Minute Order (filed on March 20, 2019)	0.10
Draft Plaintiff's Notice of Posting Jury Fees (filed on April 2, 2019)	0.25
Review and Analyze Defendant's Answer and Affirmative Defenses to Class Action Complaint for Damages and Research Affirmative Defenses in Defendant's Answer (served on April 17, 2019)	3.50

Meet and Confer with Defendant's Counsel, and Draft Joint Stipulation and [Proposed] Order to Continue Mediation Completion Deadline and All Related Deadlines (submitted on August 27, 2019)	1.25
Review Court's Order Granting Joint Stipulation and Order to Continue Mediation Completion Deadline and All Related Deadlines (filed on August 28, 2019)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Stipulation and [Proposed] Order to Continue Mediation Completion Deadline and All Related Deadlines (submitted on January 30, 2020)	1.50
Review Court's Order Granting Joint Stipulation and Order to Continue Mediation Completion Deadline and All Related Deadlines (filed on January 31, 2020)	0.10
Meet and Confer with Defendant's Counsel, and Draft Joint Status Conference Report (filed on April 16, 2020)	0.75
Review Court's Notice of Continuance Due to COVID-19 State of Emergency Declarations (filed on April 16, 2020)	0.10
Review Court's Minute Order (filed on June 26, 2020)	0.10
Draft Plaintiff's Notice Regarding June 26, 2020 Status Conference (filed on June 30, 2020)	0.75
Meet and Confer with Defendant's Counsel, and Draft Joint Stipulation Granting Plaintiff Leave to File First Amended Complaint; [Proposed] Order Thereon (submitted on July 27, 2020)	2.50
Review Court's Order Granting Joint Stipulation Granting Plaintiff Leave to File First Amended Complaint (filed on July 28, 2020)	0.10
Research and Draft Plaintiff's First Amended 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 13, 2020)	5.25

Review Court's Minute Order (filed on October 21, 2020)	0.10
Draft Notice of Entry of Judgment or Order (filed on December 24, 2020)	0.25
Appearances	
Prepare for, Travel to/from, and Attend Initial Status Conference (March 20, 2019)	3
Prepare for and Telephonically Attend Status Conference (June 26, 2020)	0.75
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (October 21, 2020)	0.75
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Preliminary Approval of Class Action Settlement (December 9, 2020)	0.50
Prepare for and Telephonically Attend Hearing on Plaintiff's Motion for Final Approval of Class Action Settlement, Attorneys' Fees, Costs, and Service Award (April 15, 2021) (Anticipated)	4
Discovery and Deposition	
Draft Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Gregory Schaefer (served on November 19, 2018)	1.25
Draft Follow-Up Letter to Defendant Re: Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Gregory Schaefer (served on December 17, 2018)	0.75
Review and Analyze Documents Produced by Defendant in Response to the Request for Personnel File, Pay Stubs, and Time Records for Plaintiff Gregory Schaefer (served on January 2, 2019)	6.75
Draft Plaintiff's Requests for Production of Documents (Set One), Special Interrogatories (Set One), Special Interrogatories (Set Two), and Form Interrogatories – General (Set One) (drafted)	9

Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant and Requests for Production of Documents (Organizational Structure) (drafted)	4
Draft Plaintiff's Notice of Deposition of Person Most Knowledgeable at Defendant and Requests for Production of Documents (Job Duties) (drafted)	4.75
Letters and Correspondence	
Draft PAGA Notice to California Labor and Workforce Development Agency Re: Claims of Plaintiff Gregory Schaefer for Penalties Under California Labor Code section 2698, <i>et seq.</i> (served on May 18, 2020)	3.75
Meet with Defendant's Counsel, and Draft Correspondence to, and Respond to Correspondence from, Defendant's Counsel	15
Mediation/Settlement	
Review and Analyze Mediation Data and Documents Produced by Defendant (served on February 11, 2020 and February 13, 2020)	86.25
Prepare for Mediation, Including Researching Settlement-Related Issues and Merits of Claims, Drafting the Mediation Brief, Compiling the Exhibits in Support of Mediation Brief, and Performing Damages Analysis/Calculations (submitted on February 26, 2020)	22.50
Travel to/from and Attend Mediation Session (March 2, 2020; Los Angeles, California)	11
Draft, Review, Revise, Negotiate, and Finalize Joint Stipulation of Class Action and PAGA Settlement (executed on August 18, 2020) and Draft Exhibits	16

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 Gregory Schaefer in Support Thereof, and [Proposed] Order Thereon (filed on August 26, 2020)	31
Review Defendant's Statement of Non-Opposition to Plaintiff's Motion for Preliminary Approval of Class Action Settlement (served on September 14, 2020)	0.25
Draft Plaintiff's Joint Supplemental Brief in Support of Motion for Preliminary Approval of Class Action Settlement, Supplemental Declaration of Edwin Aiwasian in Support Thereof, and [Proposed] Order Thereon (filed on November 20, 2020)	21.50
Draft Plaintiff's [Further Revised Proposed] Order Granting Preliminary Approval of Class Action Settlement (filed on December 14, 2020, 2020)	2
Review Court's Minute Order and Order Granting Preliminary Approval of Class Action Settlement (filed on December 15, 2020)	0.10
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, Declaration of Edwin Aiwasian in Support Thereof, and [Proposed] Final Approval Order and Judgment (filed on February 16, 2021)	34.50
Total Hours:	498.65

EXHIBIT B

LAWYERS for JUSTICE PC CASE COST DETAIL
Schaeter v. Denso Products and Services Americas, Inc.

<u>Date</u>	<u>Payee</u>	<u>Expense Description</u>	<u>Amount</u>
11/19/2018	U.S. Postmaster	Postage	6.70
12/17/2018	U.S. Postmaster	Postage	13.82
1/10/2019	Los Angeles Superior Court	Filing Fee	435.00
1/10/2019	Los Angeles Superior Court	Complex Fee	1,000.00
1/10/2019	ProLegal	Attorney Service	728.96
2/7/2019	ProLegal	Attorney Service	232.95
2/22/2019	Pure Legal, Inc.	Attorney Service	195.60
3/8/2019	Melissa LeBlanc	Travel Reimbursement	11.87
3/13/2019	Pure Legal, Inc.	Attorney Service	197.40
3/20/2019	Arby Aiwarzian	Travel Reimbursement	36.32
4/2/2019	Pure Legal, Inc.	Attorney Service	195.90
4/2/2019	Los Angeles Superior Court	Jury Fee	150.00
8/12/2019	Legal Document Server, Inc.	Attorney Service	145.00
11/8/2019	Louis Marlin Mediations, LLC	Mediation Fee	5,500.00
3/2/2020	Melissa LeBlanc	Travel Reimbursement	55.77
3/2/2020	Arby Aiwarzian	Travel Reimbursement	37.26
3/2/2020	Robert A. Parris	Expert	7,633.15
3/5/2020	FedEx Express	Courier Service	22.62
3/10/2020	General Logistics Systems US, Inc.	Courier Service	13.24
5/18/2020	U.S. Postmaster	Postage	12.69
5/18/2020	Labor & Workforce Development Agency	Filing Fee	75.00
6/22/2020	Legal Document Server, Inc.	Attorney Service	90.00
7/1/2020	Legal Document Server, Inc.	Attorney Service	145.00
7/27/2020	Legal Document Server, Inc.	Attorney Service	145.70
7/27/2020	Los Angeles Superior Court	Filing Fee	20.00
8/26/2020	ProLegal	Attorney Service	344.46
8/26/2020	Los Angeles Superior Court	Filing Fee	60.00
8/26/2020	Legal Document Server, Inc.	Attorney Service	257.10
8/26/2020	Los Angeles Superior Court	Filing Fee	60.00
10/21/2020	Los Angeles Superior Court	Remote Hearing Fee	15.00
11/20/2020	Legal Document Server, Inc.	Attorney Service	150.00
12/9/2020	Los Angeles Superior Court	Remote Hearing Fee	15.00
12/18/2020	Los Angeles Superior Court	Document Download Fee	12.20
12/24/2020	Legal Document Server, Inc.	Attorney Service	305.00
Total:			18,318.71